

TRANSACTIONS  
OF THE  
HISTORICAL SOCIETY.

EDITED BY THE  
REV. CHARLES ROGERS, LL.D., F.S.A. SCOT.,  
*Historiographer to the Society.*

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## PREFACE.

TOWARDS the close of the year 1868 a proposal was suggested of establishing a Society to deal with a class of historical subjects which, while they do not fall under the cognizance of Archæological Institutions, have not been comprehended within the programme of other Associations. Biographical and chronological investigations, it was stated, were often conducted by individuals who, however earnest in prosecuting their inquiries, did not possess facilities such as to render their researches available; while it was felt that information could be more readily acquired by those who possessed a recognised authority as members of a national institution. These sentiments, being generally approved, led to the formation of the Historical Society. The Society's Transactions during its first two sessions, 1869-70 and 1870-71, are included in the two Parts which together form the present volume. The Society aims at the reproduction and illustration of rare historical tracts, and the recovery, from recondite sources, of materials which might illustrate the less explored paths of national and provincial history.

CHARLES ROGERS.

SNOWDOWN VILLA,  
LEWISHAM, KENT,  
*February, 1872.*

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THE STUDY OF HISTORY.

BY PROFESSOR DE VERICOUR.

M.A.

THE paramount usefulness of history, with all its ramifications, as a branch of education has not yet met with a full recognition. The real position and dignity of history remains still a subject of controversy. The point at issue is—whether history may be considered and studied as a science or not. In France and Germany the question has long been decided. In both countries distinguished writers have invested history with a scientific importance—with a pre-eminence in general education not readily accepted by the practical Anglo-Saxon. In Great Britain, several eminent historians do believe that there are necessary laws regulating the moral as well as the physical world; they believe that the same powers prevail in the moral movement of nations as in the physical world, and that the human as well as the physical world is subjected to invariable rules in its progressive, harmonious, irresistible movement and growth. But a much greater number of English thinkers, and, we believe, the public generally, maintain that humanity advances by a free effort and free will,—that the progress of nations does not advance subjected to invariable laws, and that consequently history cannot be considered as a science until these laws are discovered, proved, and established. They insist on the fact that physical science alone is possible, as material objects are inanimate, whilst a science relating to human actions is impossible, because a man is free, rational, and responsible agent.

A French philosopher, Buchez, in his "Introduction à la Science de l'Histoire," has elaborately demonstrated that the same providential law of gradual progress is manifest in the formation of our globe, as in the progressive advancement of nations; and he has traced the successive phases of the creation of the natural world, corresponding to the progressive phases of human societies, especially since the Christian revelation. However it may be, with such a precise parallelism and extension of the providential laws, a belief in the regularity of most social and moral movements appears perfectly justifiable; and the word "law," so well known when applied to physical science, can be readily admitted to denominate those movements, although in a modified and limited sense. In reality, the sense of the word "law," in science, is merely intended to express the certainty that evidence has been collected on specified subjects, and that such evidence is sufficiently decisive to remove all doubts as to the conclusions and results of those subjects. Therefore, if, in the events which concern history, we believe that in numberless instances, in which, if we are acquainted with all the facts, as well as the moral and material details of the case, we may be quite certain as to the line of conduct which a man admitted to be free would take, we undoubtedly attain a scientific certainty as to the cause of human action. We must, on the other hand, repudiate the inference that man is not free in his actions, because their consequences can be anticipated, as well as the principles of those sociologists who reduce the actions of man to a mere mechanical, fatal necessity, in which man, no longer a moral, conscientious being, is a mere tool of external events. Man is free; but there is a power which gives an impulse and a movement to all the actions of human liberty, which makes them tend towards an object. The observers of human actions find that men are generally disposed to regulate their own actions by the free exertion of a power which is an ultimate fact in our nature, and further, that men do generally exert that free power in a regular manner, and that consequently the direction of human actions can be fairly foretold, along with their good or bad tendencies, according to the character of the exercise of that free power.

And again, the observers of human actions find that a regular succession of cause and effect prevails in regard to human conduct; a mass of indisputable testimonies have been collected on the subject.

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There is a uniformity in human feeling engendering a similarity of conduct, which reveals to a great extent the relation between human actions and their consequences. Certainly man is free with regard to his actions; but in reality he is not so with regard to the consequences of those actions. If it were permitted to seek a physical comparison, it might be said that a man is free as to whichever side he may throw the stone he holds in his hand; but that, when he has thrown it, no human power can prevent its obeying the laws of gravitation. A pre-eminent function of history is to discover those relations between actions and their consequences. Their discovery forms an essential part of the culture of Christian morals, and becomes the principle conducing to the research of the details, illustrations, and applications of historical facts.

The historian who considers history as a science bestows his attention on the mass more than on the individual, the latter being but a secondary object of his study. In his contemplation of the movements of nations he finds evidence of the necessity which governs human life exhibited by large averages, and becomes convinced that the motives and actions of mankind in the aggregate can be subjected to average classifications and estimates. On the other hand, the opponents of the science of history appeal, it has been stated, to human consciousness and to the approbation and blame which are bestowed on good or bad actions respectively, as testimonies of free will. Among them some insist with great emphasis and exaggeration on the intimate dependence of national life upon the phenomena of nature. Others assert with equal emphasis and exaggeration the dependence of national life upon the men of genius which a nation can boast of, and have engendered the abuse of hero-worship, which has been one of the historical fallacies of our time. Undoubtedly climate and great men may exercise an influence on national life. Both may be said to have a relative function with reference to it; but the influence of climate may be extremely modified, and great men are often the mere representatives of the masses. History, in studying the crisis and revolutions of the great societies of the human race, eliminates from each its accidental and peculiar circumstances; it probes its vicissitudes, and discovers the great principles and laws which have swayed the conduct of nations; and thus it may, to some extent, forecast the destinies which lie hid in the future. The historical researches in every country tend to prove that whatever per-

turbation may arise from the waywardness of human will, it is on the whole too slight to divert the uniform progress of nations.

History is an account of the progressive phases of some one or more of the great national societies of the human race. It branches out into a variety of sections ; it relates the existence of states and governments, and also the influence of the individuals who constitute them, with their passions, their actions, their abuses in the name of the state, for selfish purposes ; it records the vicissitudes of the past ; it narrates the wars of the human race, so carefully preserved, when everything else has perished, a section of history that has justly been denominated material history ; but its two pre-eminent ramifications, which form the inward life of a nation and determine its external life and material history, are the moral duties and the political organization. History, thus understood and taught, becomes a field for study that claims a prominent distinction among those sciences and acquirements that tend to benefit humanity. It becomes the seed-field of all human experiences, and offers a real plea in favour of a belief in the moral government of the world ; it is the great protest subscribed by all the chief events of time against the drifting theory of chance ; it makes all feel that it is a God who judgeth the earth, and it becomes one of the most potent testimonies of the designs of the Almighty. The most striking feature in the records of the past is the continued spectacle of whole populations beguiled by the selfish treacheries of individuals or of a class ; and the study and testimony of past ages offer great consolations. The authority of the whole human race proves the progressive amelioration of all ; it engenders resignation in bitter days, courage in the struggles, confidence in futurity, and in others a greater degree of sympathy for their fellow creatures. Historical studies, rightly understood, must lead to the conviction that what we need most is a wise, restricted activity, love, benevolence, and beneficence, which shall show itself in the most useful way by exciting those around us to the activity suitable to their several characters. They teach love and virtue ; they give to man a loftier idea of his mission on earth ; they instil into him a greater devotion to liberty and to his fellow-men, as well as a greater faith in the final reign of Christian justice.

The economical and political organization of a nation forms, we have stated, its vital element ; the other elements that influence the progress of a nation, such as arts, science, literature, are more or less

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secondary and subjected to it. It is the economical and political organization which develops the internal life of a nation ; it is also the expression of the moral duties and moral condition of a society. It comprises the questions of paramount importance to a nation, such as those that refer to the laws and to political economy ; the former, destined to protect the people, and mould them, as it were, since good laws, from their continuous and universal influence, form the character of the people ; the latter, a new science, whose pre-eminent object being to seek and explain the means of procuring the greatest well-being and happiness to the greatest number, has acquired a high moral importance in history. Many of the questions of political economy often decide the moral and political condition of a nation, its welfare or its misery. To them must be traced the close resemblance between the popular discontents of different times, which have so often broken out in frantic despair. In almost all revolutions there have always been two parties in fierce and mutual opposition. On one side we behold those who wish to live on their own labours, who demand a competent retribution, the abolition of privileges, or claim a legitimate share in the products of their labour, because they consider that labour has its rights as well as capital, in opposition to the all-absorbing monopoly of capital ; on the other side is found the class of those who wish to live on the labours of others, or who believe that capital alone has the right to dispose arbitrarily of the profits of labour, which leaves the latter in an iniquitous degrading thralldom. Such has been the source of most disputes, of most of the sanguinary civil wars. The parties have only changed their names in different ages and countries. The means also differ, but the grievances and usurpations have long been the same. Political economy has demonstrated that their extinction can only be obtained by an active propagation of the principles of association and co-operation, along with the extension of the principles of Christian justice and of morality in practical life.

If the student of history is not thoroughly imbued with the conviction that the wickedness of past ages cannot return, he will experience a deep gloom in perusing, in the succession of historical events, the long calamities and sanguinary struggles—the long, painful trials to which men willingly submit themselves,—and all proving barren, or contributing slightly to the promotion of human happiness. History is not a cold dust, wantonly stirred up in order

to discover cold, impassible images and figures; it is a sad, solemn compound, made up of human flesh and blood, but combining also whatever may rouse in the human heart noble emotions, deep and lofty passions; it appears as a perpetual field of battle, on which we behold incessant contentions, the causes of which often change in their denomination as well as external form; they commenced ages and ages ago, and our generation will not see their close. The same political questions have also a thousand times agitated the world. The drama of the life of nations is a repetition of the same explosions on the subject of national independence and religious liberty. A double tradition is recorded by history: on one side, the ideas of freedom, always extending and manifesting their claims in torrents of blood; and on the other side, the spirit of usurpation and conquest, which defends itself with an implacable energy. What becomes of justice in those terrible conflicts? It is often subjected to deplorable outrages, and trampled under foot; but it is never, and never will be, annihilated by brutal force; it only slumbers, often to rouse afterwards more ardent than ever. The moralization of nations, through liberty and the education of the feelings as well as of the intellect, cannot fail to conduce to the ultimate triumph of justice, and it justifies the forebodings as to their future fraternity, for nations are hostile to each other merely through their prejudices and their vanity.

No department of intellectual culture presents perhaps so many varied forms as history. Independently of the philosophies of history, whose object is to lead the reader to some arbitrary conclusion, we have chronicles, memoirs, narratives of battles, and the lives of sovereigns, in all of which the personality of the narrator is more or less apparent. Then comes the numerous class of the historians of nationalities, whose long practical knowledge of men and of human affairs induces them irresistibly to refer the effects to the causes, in connecting human events with the motives which explain them, along with the consequences that have ensued. Those historians, therefore, become the judges of the events which they relate; and although they place themselves, as it were, in presence of the public and of posterity, they inevitably invest their productions with a portion of their own convictions—of their sympathies and antipathies,—often of their passions. Such being the drift of human nature, it apparently justifies the incredulity sometimes professed about the reality and moral efficiency of history. We conceive this incredulity to be

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partially justifiable with reference to the details, which in the eyes of the superficial student are the whole of history, and we shall see that even in the details of secondary events, truth may be attained. But, as stated before, the pre-eminent, vital traits in the history of nations, namely, the laws, literature, institutions, the economical state of societies, or those changes which affect the augmentation and distribution of wealth and property, all are potent, indisputable facts, which baffle the arguments of sceptics and of opponents.

The details of history are mere historical skeletons. Facts are not history; they are to it, at most, what the marble is to the statue; they are part of the materials with which the historian must create a moral form, or rather a moral life. The insight and judgment of men being so often obstructed or limited, each only brings his share of light in the darkness of ages and of men's doings. The details of history must be accepted with great caution,—seldom, if ever, credited, if received from one channel only, besides which the legendary clouds must be dispelled. Accuracy, however, may be obtained by the honest investigator, whose diligent researches will enable him to discern truth in the midst of the sectarian, political, and egotistical influences by which it has been distorted, and remove every false light of passionate spirits. The authors of chronicles, of memoirs, of biographies and histories, are generally more or less misled by their own principles, their passions, often by their ignorance of a part of the great picture of human events. The most honestly intentioned among them cannot avoid it. It behoves especially the teacher of history, who stands aloof from all those influences, bent on his mission, to extract pure moral truth from such a confusion. Undoubtedly a wise man may perceive those blinding influences, and, making due allowance for them, he may succeed in discovering the truth; but wise men, whose minds are formed by the action of their own thoughts, are very rare. The generality of readers and students seek more especially to adorn their intellect and overwhelm their memory with secondary facts and events. They require competent guides.\*

As to the chronicles, let us take, for instance, the most celebrated among them—that of Froissard, whose *naïveté* is proverbial, and who

\* Because the historian has in his possession several different versions of the same fact—because popular credulity has introduced fabulous circumstances in all those versions, he ought not to conclude that the fact is false; he must be reserved, careful; he must discuss the texts and proceed by induction.

is so valuable for the histories of the times in which he lived. We find that there are two periods in his adventurous life, during each of which he wrote and copied his chronicles: those of the first period, namely, his youth, found in Paris and Breslau, often differ from those of his later life; the latter no longer evince the same impartiality, nor the same genuine freshness of thought. Froissard had then been exclusively associating with a coarse, brutal chivalry, and with the feudal aristocracy; he had imbibed all their prejudices; hence his deliberate calumnies on one of the noblest popular heroes of his age, Artevelde, the indomitable enemy of feudal despotism. As to memoirs, naturally a favourite and important source of historical authorities, if we turn to, perhaps, the most acute and influential among them, those of the Duc de St. Simon, we find that in his bitter, scathing sarcasms, in his scornful attacks, he is very often actuated by his own private, implacable antipathies and vengeance, as well as by his insane worship of the prerogatives of birth. Thus he shamefully misrepresents the legitimate claims of Brittany, and the royal perjuries and iniquities, along with the atrocities that followed them. On the whole, the memoirs of great or active men are liable to be written by two classes of individuals, to whom human events cannot often appear in their normal state: they are those of the studious spectator, whose life, confined to the closet, may unfit him for judging of the affairs of the world around him, and the productions of those individuals who have been mixed in public affairs, who, despite their honesty, can scarcely fail presenting from their own point of view those events in which they have participated, even admitting the total absence of human vanity and prejudices, which is almost impossible.

In regard to regular histories, they are mostly characterised by some special religious or political tendencies, and they would not mislead their readers, if their political and religious judgments could always be subjected to an unswerving, deep, moral sentiment. But it is not so. They but too often evince a systematic perversion of some of the aspects of human events, and often also dazzle the student by vivid, exaggerated pictures, accumulating apologies for a political or religious doctrine, ignoring the great mission of history. The historian who has so long exercised a nefarious influence on the British public, Hume, had no other object in view but to make a case in favour of absolutism; he did not shrink from giving a false interpre-

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tation to some original documents, which at that period were inaccessible to the public. In our own time, one of the most popular historians of contemporary Europe, Sir Archibald Alison, whose voluminous work on the history of Europe since the French Revolution is exclusively based on printed books, more or less accurate and honest, has yielded to one all-absorbing inspiration, namely, that of demonstrating peremptorily that divine Providence intends the world to be governed according to conservative principles; all his facts and details, however honestly collected and emphatically narrated, are intended to lead the reader to this sole conclusion. The same memorable, eventful period has been the subject of Mons. Thiers' life labour. Both, therefore, have related in the first part of their great works the history of the French Revolution of 1789, and exclusively from their own points of view, but since the publication of their works a mass of new original documents have appeared, which deprives them of a great part of the interest they inspired formerly. All the works on the French Revolution are more or less characterised by a political fanaticism, often by a total absence of principles, without excepting Mr. Carlyle's fantastical and picturesque production on the subject. In all the documents published on that great epoch, every man is generally either a hero or a brigand—a man of genius or a monster, because every judgment is the offspring of passion, each judging the greatest era in political history as if it were his own private, personal cause. However mitigated may be the political passions—at this very day we still hear and read the invectives which the descendents of the heroes of the *terreur rouge* and of the *terreur blanche* lavish upon each other. Such are the results of the excesses of aristocracy and of democracy.

But M. Thiers, in his recently terminated "History of the Consulate and of the Empire," came before the public under peculiar advantages. No history has been more extensively read in Europe. Besides the attraction of his persuasive, flowing style, which contributed to its popularity, the author was known to have had free access to the correspondence of Napoleon with his great vassals, marshals, and ministers. He states having carefully perused no less than thirty thousand of those letters and communications of every description. Although Mons. Thiers neglects the foreign documents—the German, for instance, many of which are invaluable for their intrinsic merit and honesty—although he withholds his authorities,



and contents himself with general allusions to them, whilst they often consist of his conversations with the old surviving ministers and marshals whom he has known,—nevertheless the great work of Mons. Thiers, by its influence and magnitude, deserves to be held up as an example with reference to the great principles of history ; and the more especially so, as he has most emphatically proclaimed his own principles on that important department of education. In a preface, or rather a profession of faith on the subject, annexed to one of the volumes, when the work was far advanced, he thus defines his favourite muse :—"De toutes les productions de l'esprit, la plus pure, la plus chaste, la plus sévère, la plus haute, et la plus humble à la fois, c'est l'histoire." And he had previously enounced his doctrine as to the pre-eminent qualification to become an historian, stating that, "la qualité essentielle, préférable à toutes les autres qui doit distinguer l'historien et qui constitue sa véritable supériorité . . . c'est l'intelligence." Certainly intelligence is one of the indispensable requirements expected on the part of the historian ; it analyses, clears up obscure materials, makes a selection from a complex and incomprehensible mass, and educes a clear comprehensive ensemble from a bewildering confusion. From the elegant style of Mons. Thiers it appears evident that he attaches also great importance to the qualification of artist ; and in truth, the art of writing is essential to the historian, provided that by its excess he does not impair the dignity of history, for truth is often veiled by an excess of style, and even disappears under it. We are therefore in possession of the object and principles of the historian of the Consulate and the Empire, as well as of all the historians of his school. Their works, however brilliant and partially instructive, do not fulfil the conditions of the science of history ; they may furnish certain excellent materials for the experienced thinker, but they do not exercise a beneficial influence on the inexperienced reader. History as a science, besides aiding in the comprehension of events, besides its impartial classification of parties, has, it has been seen, a great moral object. Mons. Thiers, in the latter part of his work, indulges in a few moral reflections on his hero ; but he ignores the condition of the people, literature, commerce, and industry. He revels in endless descriptions of battles, of repulsive butcheries, which ever inspire him with brilliant expressions of admiration. It is a history devoid of philosophy and of humanity.

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Mons. Thiers in France, and Mr. Thomas Carlyle in England, are the highest expression of that class of historians with whom humanity and the morality of history are a dead letter. By their indifference to human sufferings, by the disregard of ordinary humanity which they manifest, they transform an important instrument in the training of the human mind and heart into an inexhaustible source of unhealthy emotions; they appear to have cultivated an intellectual taste for bloodshed; it stimulates their reverence; whilst they evince a certain aversion for the processes by which great results are achieved in obedience to laws and constitutions. And we have often watched their readers, old and young, flushed with a febrile, thoughtless admiration, imbibing a real sympathy for despotism and an unchristian indifference to cruelty and carnage. The mission of history is, on the contrary, to foster feelings of humanity and love, to inspire a reverence for the laws of God—"who made and loveth all,"—to teach man his social destiny, and develop his sympathetic capacity. It is thus that history becomes a valuable department in a Christian education, and one whose cultivation should continue through the whole course of life. With reference to the long narratives of campaigns and battles, they may have a special object, interesting to special readers, and may be denominated military histories; but such works, however great their merit, are more particularly valuable for students of strategy, and deserve but a very secondary place in the histories of the great progressive movements of nations. The results and consequences alone of the great sanguinary conflicts between masses of men, studied and analysed by the historian, tend, we believe, to a great moral conclusion—namely, that every great war recorded in history has checked the progress of civilization for at least a century.

If history reveals the great laws of the Almighty, and the destiny of man on earth, the student will do well to avoid generally the compendious abstracts, epitomes, résumés, all abridged universal histories, which teach nothing. They are a deceitful, hollow task on the memory, and engender confusion. They can only be of use as a *memento*, or assistant for the memory of the student, although everything important is effaced from them. They are little more than chronology, which is of course useful, or almanacks of numbers killed, of the royal families, of victims of plague, war, and plunder, all of which are not history. The student of history, severed from a

regular methodical instruction, who also does not mean to addict himself to history as his peculiar department, will find a surpassing advantage in mastering an epoch, or a century, or a particular history. By mastering one of these, with its peculiar characteristics, with all its details in laws, economical state, and its literature, he will derive far more instruction, a greater facility of discrimination; and he will find the other epochs, centuries, or histories, of easy comprehension whenever he turns to them, and grouping themselves readily round the historical knowledge previously acquired.

We have spoken of the doubts and incredulity existing on the subject of many historical facts and details; but ere long every scepticism on that part of history will scarcely be admissible. There is a characteristic tendency in our time, daily on the ascendant, to open to the public all original correspondences and documents on all the civil, diplomatic, military, and royal transactions. Such publications will gradually become a necessity of civilised nations. They are the life-blood of historical science, whilst they leave the true sources of history open to all; they lay bare the true nature of men and of their deeds; they will dispel and check the creation and growth of those numberless legends which are a marvellous transformation of truth by the popular imagination, ever enamoured of the wonderful and of the unnatural; they will greatly facilitate the labours of the historian, and satisfy the doubts and hesitations of the public. Such publications have already revealed many truths respecting events and characters which had been hitherto wholly misappreciated. The French statesmen and historians, for instance, never believed in the sincerity of William Pitt, when that great minister was negotiating for peace with the French Republic, until his correspondence with Lord Malmesbury was given to the public. The noblest features in the character of the Duke of Wellington, along with the incredible difficulties of every description he had to encounter, are indelibly portrayed in his despatches; they bring into a greater relief than any history the man who was at the same time a great commander, a great citizen, and a slave to the point of honour. The publication of the voluminous correspondence of Napoleon I. reveals the real Napoleon, and annihilates the traditional idol of the French people. Although it is officially acknowledged that many of these letters and orders, the most damaging to the fame of the legendary hero of France, have been suppressed,

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nevertheless his heartlessness, his duplicity, his unscrupulous ferocity, his selfish, monstrous ambition, are abundantly displayed in the recently printed documents. The twenty-five volumes of this publication do not throw any new light on the greatest events in the history of the nineteenth century ; but, whilst they testify the genius of a great general and of a great military administrator, they unravel all the details of the moral littleness of the hero, whose foreign policy seems at times hardly compatible with sanity, and who often appears the mere vulgar creature of imagination and impulse. Such a publication cannot fail, in due course of time, to enlighten the French people on the iniquities that called forth the implacable hostility of the whole of Europe and the two invasions of France, the remembrance of which is still rankling in many hearts ; it will also facilitate and hasten their understanding of the formation of that network of administrative tyranny from which France has not recovered. If we turn to the recent publication of the original letters of another monarch of France—Henry IV.—what a contrast in a moral point of view ! They reveal the originality and powers of conception of the first Bourbon, whom Napoleon contemptuously and unjustly called a captain of cavalry. They restore to the greatest of the Sovereigns of France all that had been traditionally attributed to Sully, and unravel the details of his great and noble project of a European Congress for the organization of a European peace.

Among the recent historical revelations derived from the discovery of original documents, several of them have not only restored to truth and reality characters hitherto misrepresented, but they have even brought to light the singular fact that a memorable event—which long exercised a great inspiring influence—had never taken place, namely, the conspiracy which has always been supposed to have preceded the Sicilian Vespers. The sixteenth century is more especially affected by the publication of new documents. The correspondence of Granvelle, the letters of the French and Venetian ambassadors in the East, published by Charrière, throw a new light on the Eastern affairs during that period. In the published correspondence of Charles V., edited by Lanz ; in the publications by Gachard, in the trials given by Llorente, in Granvelle's letters, and the ordinances of this Emperor, the lofty, political depth of Charles V., extolled by so many historians, totally vanishes. We

no longer behold the prudent, profound statesman and warrior, so overrated even in our own time, but the crafty sovereign, the heartless fanatic, with transient gleams of grandeur in the misfortunes that befel him; whilst the puerile, romantic legend about the Emperor's seclusion from worldly affairs, and his witnessing his own funeral, must be abandoned. The inexhaustible Royal Archives of Simancas have furnished all the details with reference to the retirement of Charles V. in the convent of Estramadura. But this Emperor's no less celebrated grandmother, Isabella of Castile, undergoes a more sudden and perhaps greater transformation, through some of the Simancas documents very recently come to light. She has been held up as the ideal of female virtue and loveliness on the throne. Two distinguished contemporary historians—the American Prescott, in his celebrated history of the reign of Ferdinand and Isabella, and the French professor, Rossew St. Hilaire, in his complete and esteemed “History of Spain,” the fruit of twenty-five years’ labour,—both have extolled, with an enthusiasm verging on idolatry, the unparalleled magnanimity and surpassing moral beauty of the Queen of Castile; but if we turn to the documents alluded to, we find, in her own handwriting, the proofs of her duplicity in several family transactions, of her promoting the horrors of the Inquisition instead of opposing them, as it has been alleged, and of her contriving to have the richest victims sent to the faggot, as she laid her grasp on their wealth for her own benefit.

The revelations on the character and unscrupulous policy of several members of the House of Habsburg are receiving invaluable additions by the publication of the correspondence of Maria-Thérèse, Marie-Antoinette, Joseph II., and the other members of the Imperial family, given to the public by the Chevalier von Arneth, through the liberal permission of the Emperor of Austria. And all these letters lay bare the human frailties, the foul State transactions hitherto hidden from the public eyes. The prestige of royalty, as well as the political passions, can no longer distort their historical truth. The youthful student of history may yet be flushed with an innocent, sympathizing admiration on reading the misfortunes that assailed the beautiful Empress-Queen Maria-Thérèse on the death of her father, the treachery of her neighbours, and the pathetic, melodramatic scene, when, with a babe in arms, she appealed to the fidelity of the brave Magyars. It was in former days a favourite

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passage in the Elementary Lectures on Modern History of Professor Smyth, of the University of Cambridge, who during thirty years read the very same lectures yearly to an audience of undergraduates, and they invariably became enthusiastic admirers of the beautiful Maria-Thérèse. But the earnest student, who probes the whole life and political career of the Empress-Queen, while acknowledging her private domestic virtues, cannot repudiate the incontestible proofs of her duplicity, of her hypocrisy, and her vindictive cruelty. With reference to the unfortunate Marie-Antoinette, so foully hurled down from the throne of France, while her sufferings and courage will leave an eternal halo on her memory, her correspondence leaves not a shade of doubt on her fatal influence over the honest, simple Louis XVI. ; it explains the instinctive hatred of the French people for the Austrian Queen. She had a boundless faith in the divine rights of royalty, and could not understand that royalty was in France the symbol of the sin and misery of thousands of years.

The original documents published on the family of the Habsburgs are not exclusively derived from Vienna or Simancas. To M. Gachard, archivist-general of Belgium, the world is indebted for perhaps the largest amount of documents recently published. His correspondence of Philip II. with the Duke of Alva and Alexander Farnese is invaluable. In his four volumes of the correspondence of William the Silent (*le taciturne*) may be contemplated that noble figure, the leader of all the friends of toleration, the king of the party of humanity in an age of reckless cruelty—an impartial hero, many traits of whose character the English student finds inherited by his descendant, William III. of England—traits so graphically delineated by Lord Macaulay, and to which he finds also the heart of a distinguished female biographer, Miss Strickland, unfemininely callous. The publication of State papers and original correspondences facilitate the attainment and appreciation of truth, as well as the labours of historians and of professors of history. The public owes a great debt of gratitude to those who devote themselves to such researches ; they are the patient and indefatigable miners who derive but little popular influence and repute, if their labours are confined to such pursuits. In Paris, Florence, and several German cities, the archives and all historical documents are arranged and classified by a special organised staff, open to the public, and gradually published. The British Government has also recently ap-

pointed able collectors of all State papers and documents relating to the history of England, and the public now receive periodically new sources of history.

We have alluded to the singularity of an historical fact which, despite its now proved non-existence, has nevertheless been very influential in the Italian Peninsula. Italy has ever been the classical land of conspirators. In its mediæval history alone we find the conspiracies of the Porcaro, of the Pazzi, Olgiati, and others. In our nineteenth century no country has been so perpetually agitated by conspiracies in every political party. It is undeniable that the traditional episode of the Sicilian Vespers, preceded by a vast, profoundly organized conspiracy, inculcated in the vivid imagination of the Italians a decided taste for conspiracy, a tendency to secret, subterranean agitation, followed by a sudden dramatic explosion; and it is evident that such remedies as partial and local conspiracies have often aggravated the odious tyrannies that have so long trampled down the fair peninsula. The Sicilian Vespers, preceded by a vast conspiracy, have been for ages a favourite theme for enthusiastic commentaries. The most conscientious historians have, more or less, dwelt on this conspiracy. It has been universally popularised, and it has also inflamed the imagination of all civilized nations through the ideal embellishments of the novelist and of the dramatist. And now, after such an extraordinary influence,—after the narratives of so many historians,—after such a fabulous prestige, it is positive that there has never been a conspiracy at all; that the Sicilian Vespers were the result of a sudden, unexpected, popular explosion. The documents recently produced by Amari, the learned Sicilian historian, leave not a shadow of doubt on the subject. John of Procida, the undaunted, persevering soul and hero of the conspiracy, according to the popular legend, vanishes altogether, and we only behold a man who, like so many others in history, comes up when all is over, and makes the best of everything. He was already in advanced age; he was not a Sicilian, and by his conduct had become an object of mistrust, if not of hatred, to the oppressed people. He had certainly been faithful to Manfred, but when the disaster was complete, his property confiscated, and himself exiled, he did not persevere in his fidelity to the vanquished. There is a letter existing, from Pope Clement IV., imploring in his behalf the clemency of the conqueror Anjou, in terms damaging the dignity of

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the so long supposed heroic author of the supposed conspiracy. On the other hand, it appears evident that Procida was, for a short period, the confidant of the ambitious views of Dom Pedro of Arragon, and that he undertook some diplomatic missions in his service, but, in the meantime, the French, or rather the Provençals, having established a reign of terror in the island, the concentrated fury of the Sicilians exploded most fortuitously on Easter Monday (30th March, 1282), on the occasion of a Provençal soldier insulting a Palermitan female; the man was struck down by the unarmed people; they fled to arms, and the massacre followed. At the very moment, by the merest chance, the Vesper bells were ringing, hence the memorable denomination of this historical episode.

Having thus expatiated on the value of State-papers, and of correspondences, as indisputable sources of history, it must be added that the latter, along with other original documents, require great discernment in their selection and appreciation. Their origin and authors require to be subjected to a careful investigation. Discrimination in the research of such materials is evidently of the highest importance. They must be in some instances controlled by others, for instance, whenever they consist of family chronicles, written by the servants of great princely houses, and exclusively in their praise. There is in our time a singular tendency to rehabilitate royal criminals, as well as many of the most odious characters in history, which can partially be effected by the publishing of one portion only of letters and documents, and keeping in the shade all unfavourable testimonies. We have also instances when the discovery that one crime of a great reprobate has either been exaggerated or disproved, or the discovery of a minor redeeming point in a repulsive character, have been sufficient grounds for a rehabilitation. There is no figure in the history of France more justly odious than that of Philip *le Bel*, the forger; yet a French historian has become his apologist, because several of his enactments and institutions were advantageous to the country. Political and religious fanaticism have produced, of late, abundant efforts at rehabilitation; apologetic memoirs of Barrère and of Lebon, two of the worst men of the worst period of the French Revolution, are an instance of the first fanaticism; as to the second, it has not shrunk from proposing to our sympathising admiration Alexander VI. and the Borgias. For instance, again, who can be so ignorant of history as not to have read something



about the dark deeds and diabolical policy of Catherine de Medicis, the queen of Henri II. of France, and the mother of the three following kings. Nevertheless, in our time, there has appeared what has been considered as a powerful evidence, presenting this queen to the public under the most favourable colours. No one could read her life, published at Florence by Mr. Alberi, without conceiving something approaching to admiration for this Florentine importation at the court of France ;—a life, it must not be omitted, written and based on the authentic documents existing in the Tuscan archives. Nothing could be more satisfactory. But if you investigate the nature of those manuscripts referred to, you find that they are nothing more than family documents and letters, written from Paris, by servants, by menials, by admirers of Catherine, and the envoys of the Grand Duke. Fortunately, it will be readily admitted that a more satisfactory document to be consulted on Catherine de Medicis is herself, namely, her own letters, which contradict in everything the Florentine historian, and fully reveal her dark deeds and her diabolical policy. A portion of those letters, taken from the French archives and the Imperial Library, have already been published.

Historic notions and opinions are every day infusing themselves more and more in the daily bread of literature, and they are derived from the most varied sources, among which the most respectable are the special regular histories of nationalities. But they are all more or less subjected to some political, religious, and national prejudices. The histories of England, for instance, are deeply coloured by Whig or Tory principles, excepting the Constitutional histories, such as the works of Hallam and Erskine May. The histories of France had long been mere puerile skeletons ; and in our time, when France is so justly proud of her historical school, the regular histories of that country are inspired by royalist or democratical principles. The laborious Sismondi is inexorable in his anathema on kings, often forgetting that their crimes were those of their times. The brilliant work of Michelet is not a history, but a glittering, original, fanciful production on the subject, despite his valuable researches. The only great, complete history of France is the voluminous, conscientious work of Henry Martin, and his liberal tendencies have been bitterly assailed by the Feudo-Royalist party. The histories of Germany represent also two camps: there are those written in

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the north, with decided Prussian Protestant tendencies, and those of the south, based on the Austrian policy and the Church of Rome. and all of them fiercely, blindly hostile to France. The same may be said of the histories of Italy and Spain. It is needless to add that there are a few highly praiseworthy exceptions. On the whole, however, impartial, just, historical notions and opinions cannot easily be derived from them. They require to be completed by supplemental study, or a course of special instruction.

But the most ridiculous, unwholesome notions about historical events and personages have their source in historical novels. A vast multitude do not study history, but read greedily those innutritious confections, often very elegantly wrought, which inflame the imagination, to the detriment of historical truth and of its morality. Historical novels may have their usefulness if they confine themselves to pictures of the manners of an age, but it is not so. They mostly distort the most prominent characters and facts in history. It will be a long time yet before the false impressions left on the public mind by the novels of Sir Walter Scott are effaced: he, for instance, transforms Richard I., who partook of the nature of a tiger more than that of a man, whose life was a perpetual access of blood-thirsty frenzy, into a magnanimous, sentimental knight, who rivets the deepest sympathies of the reader. With the great novelist of the North, who was ever blind to all the turpitudes of Royalty, Charles II. is transformed into an amiable, estimable sovereign, despite the royal orgies and the disgraceful transactions of his reign. In our own time the mass of flatulent compositions called historical novels is very great; many of them may be considered as devoid of influence in consequence of their triviality and coarseness. But others are conspicuous by the elegance of their style and the brilliant imagination of their authors, and they more especially mislead the public on historical events and characters, when they depict a period not generally studied and known. Let us take for instance one of the most attractive and popular novels of Lord Lytton,—“*Rienzi*.”

The German historian, Papencordt, after researches made by him in Rome, has given a faithful picture of the mystical nature of *Rienzi*, which had not been understood before him. Other recent researches at Rome and Prague,—a variety of records, chronicles, speeches, and letters of the Tribune, most of which are now published, exhibit in *Rienzi*, during the first period of his public

life, the mystic as well as the antiquary. He was celebrated for his knowledge of antiquarian lore. His enthusiastic imagination was deeply impressed by the marvellous ruins of pagan Rome and the wonders of Christian Rome. The eternal city was relatively deserted; it was in the hands of the coarse and profligate nobles and barons. Several among them imagined to have recourse to a literary pageantry in order to dazzle and amuse the multitude, and the poetical triumph of Petrarch took place on the 8th of April, 1341. On that day the Roman people roused from their torpor; they lived a new life; their souls awoke: the cry of "the Capitol for ever"—offspring of a momentary enthusiasm—was treasured up by Rienzi. It kindled his dreamy, mystical spirit. He began to address the people. He preached on the history of Rome, on justice and faith. The popular emotion grew deeper daily, and shed on Rienzi a new and dignified lustre. He was among the ambassadors sent to the Pontiff to pray for his return to Rome. He afterwards was appointed Apostolic Notary in the Municipal Council. He resumed his harangues to the people with the aid of theatrical representations and images. Finally, one day, Rienzi convoked the people to the Capitol. He had heard thirty masses during the preceding night, and he now proposed with majestic solemnity the new regulations of his new government—*il buono stato*, which he read aloud. The *buono stato* was proclaimed with vociferous acclamations by the multitude. The nobles fled from the city. Rienzi remained master of Rome, and the details of his government are most curious and interesting. The whole of Europe was astounded. A general belief arose in the resurrection of a new and formidable Republican Rome. The Pope acknowledged the new tribune. All the Italian cities forwarded to him the warmest felicitations with pecuniary succours. Such a triumph inflamed the imagination of Rienzi. The people shared his aberrations. Insane and mystical ceremonies, abounding in symbols, now took place daily. Finally the Pontiff sent a legate to put an end to the follies of the tribune, and excommunicated him. The nobles assembled an army, marched on Rome, and failed in a first attempt to surprise the city. The people remained faithful, and might have repelled the enemy, had not the mystic, the enthusiast, with his generous ideas, succumbed under a simple question of food. Rome was threatened with a famine. The people immediately cooled towards the excom-

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municated tribune; they remained deaf to his voice, insensible to his tears, and he disappeared. Subsequently Rienzi sojourned in a convent, where he frequently fell into ecstasies and into mystical, ambitious reveries. In 1350 he proceeded to Prague, threw himself at the feet of the Emperor of Germany, and addressed him in a mystical, incoherent harangue. Charles IV. ordered the excommunicated rebel to be delivered up to the Pontiff, and entrusted him to the Archbishop of Prague, who, in a true Christian spirit, endeavoured to soothe his ardent mind and inflamed imagination. The mass of letters and memoirs which Rienzi addressed to the good Archbishop form the strangest combination of genius with mystical aberrations. In 1351 Rienzi was a prisoner of the Pope, at Avignon. He underwent a trial and was condemned to death; but was pardoned at the somewhat menacing intercession of the people of Avignon, who could not permit a scholar and a poet to be executed in the land of the Troubadours. He remained a prisoner, receiving every testimony of a munificent interest. Meanwhile anarchy and disorder having attained a scandalous extent at Rome, he became, in the Pontifical hands, an instrument of reform. The former tribune was sent to the eternal city with the title of senator; but, on finding that he was considered as a mere instrument—a mere tool in the hands of the Pontifical legate, his vanity being ruffled and his ambitious views marred, he associated with a celebrated condottière, and forced the Pontifical agents to withdraw or yield to his authority. Now commences the second period of Rienzi's public life. After an exile of seven years, he re-entered Rome with an imperial pageantry and splendour. The Roman people received enthusiastically their tribune, whom they soon discovered to have undergone great changes, both physically and morally. The generous, mystical idealist of the former period had now grown coarse, bloated, sensual, heartless, and cruel. The treasury was drained in a few days. He then had recourse to taxation. The people murmured. Rienzi had become ridiculous or odious, drowned in luxuries and sensualities; he was finally roused, one morning, by the cries of "Death to the tribune." The furious multitude invaded his palace and set fire to it. In the meantime the trembling object of so much fury took a disguise to ensure his flight. Being recognised, he shrunk, paused, and fell, struck down by deep sword thrusts. Such is the real historical character of this episode in the history of the

fourteenth century; and, nevertheless, the celebrated novel and its author, in a recent preface, persist in representing Rienzi as a high-minded, pure, profound statesman, who might have regenerated the Roman people had not the latter grown corrupt and utterly worthless. But in history Rienzi will remain one of those sad examples of the fatal powerlessness of imagination in human affairs, when it is devoid of practical intelligence and of determination.

The drama occupies a pre-eminent position in all the literary courses of education. In the study of the ancient and modern languages and of the literatures of antiquity, as well as of modern Europe, dramatic compositions long remain an object of study in all the phases of a philological and literary training. The object of the drama is to produce moral impressions and awake human sympathy. Action is the true enjoyment and a necessity of human life. In the drama we behold others move and act, when we cannot do so ourselves to any great purpose;—we see men measuring their powers as intellectual and moral beings,—influencing each other, and presenting to us all the varied impressions of the human soul. All good and beautiful tragedies convey some great moral truth; they represent human life ennobled and idealised. The drama has met at different periods with detractors, but their objections have been more especially directed against the abuses of the dramatic agencies, and the frequent exaggerations in the emotions depicted. In the modern drama, for instance, there are but too many instances when the passions represented attain such a degree of violence that they cease to be human; such exaggerations are pernicious, as they affect the senses more than the soul; and one of the first conditions of dramatic emotion is that it must be intellectual, and not sensuous. The best things in this world may be turned to a wicked purpose. The arts—especially the drama—may be sullied by diseased and immoral imaginations; and, whenever it has been the case, public morality has protested against the profanation. The moral utility of the drama is incontestable: many great, good men—Schiller, above all—considered the drama to be an admirable moral school in every age and in every country.

A plausible objection may be raised against the drama,—namely, that it leaves on the mind of youth and of the public false impressions of historical facts. The moderns are, perhaps, more unjustifiable on the subject than the ancients; as, among the latter, such

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historians as Livy and Xenophon, by the admixture of abundant fiction with reality, have been the originators of endless historical fallacies which have been accepted as truths through a long series of ages. But the moderns have purposely mutilated and distorted historical subjects. They sacrifice truth to dramatic effect, and it is a blot on the tragic muse.

The purest dramatic art aims at raising reality and truth to the loftiest idealisation and poetry: Shakspeare is pre-eminent in that art; nevertheless his Richard III. is a glaring exception. It is now well known that Richard III. was a better man, by far a wiser man and wiser king, than all his cotemporaries; but Shakspeare, imbued with the prejudices of the age of the Tudors, accepted the popular legends, and created others still more monstrous. He not only overstepped historical truth, but also the truth of nature, in order to produce a character of calculated and unmitigated atrocity. The Shakspeare of Spain, Calderon, unscrupulously misrepresents the facts and manners which he introduces in his immortal dramas. It is well known that the French, plastic, classical drama, however beautiful, is a perpetual misrepresentation of historical truth as well as of human nature and of manners. No greater contrast could be met with than that existing between the Augustus in the "Cinna" of Corneille and the Augustus of history. The Germans have always given the preference to historical tragedies, and their dramatic literature presents numerous instances of the mutilation of historical truth. Goethe, in his popular drama on Egmont, has unjustly thrown a dark cloud on the moral life of a great historical character. Schiller has transformed the furious, insane Don Carlos into a pure, noble, aspiring young hero. It must be remembered, however, that in the days of Schiller, popular legends investing Don Carlos with innocence and lofty aspirations, contrasting with the cruel, stern figure of his father, were still generally credited. It may be alleged that, whenever the dramatic muse throws a veil over the wrongs and blemishes of men, she has claims to the sympathy and indulgence of the public, but such a privilege requires well-defined limits, and the student of history may feel painfully surprised when he finds her darkening that which is relatively fair. In Germany, it must be observed, historical studies being very general and popular, the misrepresentations of historical truth in the drama cannot long mislead the public and permit the duration of false impressions. It is one of the duties of

historical tuition to restore to reality, by unassailable proofs, the ground that has been occupied, and often usurped, by the creative genius of the dramatist and the privileges of the poet.

And, to conclude by a summing up of our observations, let us add that the importance, nay, the necessity of historical studies, as a regulator of the human mind and as a teacher of Christian morality, appears indisputable. Despite the difficulties of obtaining a strict accuracy of details in the contention of parties and factions—in the motives of men—in many of the secret springs that have led to revolutions, transformations, and calamitous events—history cannot be divested of its dignity and pre-eminent utility. It is the study of the advance of principles, affections, and intellectual powers; it marks out the mode in which individuals and nations shall unfold themselves, so that they may grow up what God designs them to be. In this point of view it justifies the definition of Schiller, that "History is the tribunal of the world." It may be considered as the great earthly judge, generally and often invisibly reprobating the iniquities of the past, and regulating the movements of the human mind and of societies.

The deficiency or total absence of historical studies in British education is awakening many of the promoters of education and of enlightenment to a sense of the existence of a chasm. A well-organised system of historical instruction would also considerably modify the shallowness, presumption, and violence of an imperfect, incomplete education, with a theological tendency which characterizes a great portion of society. Goethe says, on the subject of most branches of education, that to write is often an abuse of words,—that the impression of solitary reading replaces but sadly and most imperfectly the vivid energy of spoken language—that it is by his personality that man exercises an action upon man; whilst thus, at the same time, the impressions are the strongest and the purest. And, in truth, admitting that the art of printing has been one of the greatest benefits conferred on humanity—lifeless, written words can never replace living speech in education. Nothing can be more successful for the communication of ideas than the warmth of a direct effusion. Speech is the more natural medium between the instructor and the instructed. If we might go back so far as Plato, we find that he believes that spoken, living words possess alone the power of awaking and directing the soul in search of truth. The human mind

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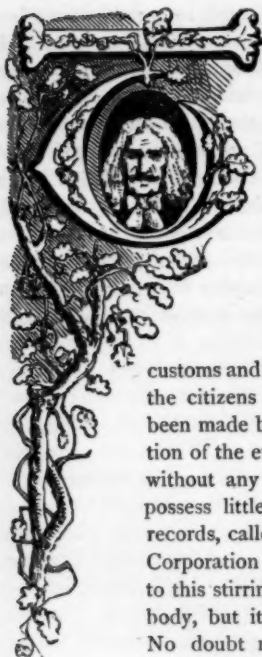
is often too isolated by mere reading, and grows up within a narrow circle of erroneous notions. Goethe's idea is the clearest expression of tuition rightly understood. In history especially the professorial duties and advantages cannot find an equivalent in mere reading, the latter being an auxiliary to the former, through judicious references and the exercise of thought and judgment. The experienced and conscientious professor or teacher of history, after seeking for truth in all parties and sects, soaring high above both,—after weighing testimonies, after having pondered over documents and the labours of others, the whole being subjected to a rigid method,—relates, in few hours, the *résumé* of labours of whole months; and, moreover, the personal influence mentioned by Goethe—the magnetic human sympathy, along with the vividness of the narrative—convey in a facile, impressive manner a mass of accurate knowledge which becomes an abundant source of meditations, as well as of generous and moral emotions. Such a course of instruction has a legitimate claim in education, its pre-eminent object being to reveal, illustrate, and inspire a reverence for truth, justice, humanity—immutable laws of God and of Christianity—sacred laws, which the study of past ages proves their never having been infringed with impunity, whatever may have been the motives of egotism and ambition that have led to their violation.

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# THE PERSONAL EXPENSES OF CHARLES II. IN THE CITY OF WORCESTER.

BY RICHARD WOOF, ESQ., F.S.A., F.R.S.L.,  
*Fellow of the Historical Society.*



HE accounts of the city of Worcester are comprised in a series of foolscap folio volumes, commencing with the year 1540, from which time they are complete, with the exception of the twenty-two years from 1600 to 1623, and they exhibit the whole revenue and expenditure of the faithful city, as annually audited by the proper civic authorities. These ancient tomes throw much light upon historic events, which have had local effect, as well as upon customs and transactions more peculiarly confined to the citizens and their city, but many searches have been made by historians and antiquaries for information of the eventful period of the battle of Worcester, without any result beyond a few casual items which possess little direct interest. In another series of records, called "Chamber Orders," possessed by the Corporation of Worcester, entries occur which relate to this stirring time so far as it affected the corporate body, but it is not with these I have now to deal. No doubt many records were abstracted by the troopers of Cromwell, as I find at the audit of 1652 :—

"Item payed Steephen Fields, who had payed to a souldier to  
regayne some of the records that were taken out of the  
Treasurie . . . . . 5s."

The civic state sword also seems to have disappeared, as £5 8s. 6d.

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was paid in the same year for "the new sword to carry before Mr. Maior."

After the defeat of the army at Dunbar on the 3rd September, 1650, the surrender of Edinburgh Castle in the December following, and the subsequent losses in different parts of Scotland, Charles II., prompted probably by the sanguine expectations of many of his friends, determined upon the bold course of marching into England, and making a grand effort to recover the throne of his unfortunate father. The time appeared to be favourable for such a project, as not only had some discontent arisen in England, but Cromwell, with the greater part of the English army, was busily occupied in Scotland. Accordingly, early in the month of August, 1651, Charles evaded the Parliamentary forces, and marched over the border. He must have made a rapid advance, for, notwithstanding the delay of an engagement at Warrington, where his progress was disputed by Lambert and Harrison, he arrived with his army before the loyal city of Worcester on Friday, the 22nd of August. A garrison of 500 horse, under Colonel John James, then occupied the dilapidated fortifications of the town, but, being soon dislodged, they retreated to Gloucester. Rest was absolutely necessary after a march of more than 300 miles, and Charles established his first permanent headquarters in Worcester. On Saturday, the 23rd of August, his Majesty was proclaimed "King of Great Britain, France, and Ireland," by Mr. Thomas Lysons, Mayor, and Mr. James Bridges, Sheriff of Worcester; and on the same day the King issued a manifesto, declaring a general pardon to all the inhabitants of the city, and summoning "upon their allegiance all the nobility, gentry, and others of what degree and condition soever, of our county of Worcester, to appear in their persons, and with any horses, arms, and ammunition they have or can procure, at Pitchcroft, near the city, on Tuesday next, being the 26th of this instant month, where ourself will be present that day." On Sunday, the 24th of August, the King attended divine service in the Cathedral, the sermon being preached by Dr. Crosby. On Tuesday, the 26th of August, the muster occurred on Pitchcroft, in compliance with the King's manifesto, and the following are recorded as being present, with others :—

Francis Lord Talbot, (afterwards Earl of Shrewsbury,) with about 60 horse.

Mr. Mervin Touchet, his lieutenant-colonel.  
 Sir John Packington.  
 Sir Walter Blount.  
 Sir Ralph Clare.  
 Sir Rowland Berkley.  
 Sir John Winford.  
 Mr. Ralph Sheldon, of Beoly.  
 Mr. John Washburn, of Witchinford, with 40 horse.  
 Mr. Thomas Hornyold, of Blackmore Park, with 40 horse.  
 Mr. William Seldon, of Finstall.  
 Mr. Thomas Acton.  
 Captain Benbow.  
 Mr. Robert Blount, of Kenswick.  
 Mr. Robert Wigmore, of Lucton.  
 Mr. Edward Pennel, the elder.  
 Captain Kingston.  
 Mr. Peter Blount.  
 Mr. Edward Blount.  
 Mr. Walter Walsh.  
 Mr. Charles Walsh.  
 Mr. William Dansey.  
 Mr. Francis Knotsford.  
 Mr. George Chambers.

On the same day General Massey was detached with a considerable force to occupy Upton on Severn; but Cromwell, having now learned the route of the King, and his intention of marching upon London, had gathered part of his forces, and hastily followed Lambert, who had pushed on with his horse, reached Upton on the 28th, and dislodged Massey, who, being severely wounded and having his horse shot under him, was obliged to fall back upon Worcester. On the same day Cromwell, who had remained the previous night at Pershore, advanced to Stoulton and White Lady Aston, where he remained the night at the house of Mr. Simons, and on the 29th of August he took up a position with his main body at Red Hill, about a mile from the city. The Royalists, upon the approach of the Parliamentary force, retired within the city, having burned all the suburbs to the walls. On the same night a sally was made by a strong party, under General Middleton, wearing their shirts over

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their armour, the better to distinguish their own forces ; they marched out of Sidbury Gate and attacked a post of the Parliamentarians, but owing to secret intelligence obtained by the enemy from one Guise, a tailor of Worcester, who was discovered and hanged the next day, they were repulsed with loss, and Cromwell maintained his position at Red Hill and Perry Wood for four days longer without interruption. On Sunday, the 31st, the unfortunate Earl of Derby arrived at Worcester, after suffering a severe defeat in Lancashire, bringing only thirty horse, instead of the large reinforcement which Charles had expected. On Monday, the 1st of September, some of the King's force were occupied in destroying the bridges over the Teme, at Powick and Bransford, which they succeeded in doing, although flanked by a party of the enemy under General Fleetwood.

On Tuesday, the 2nd, the Parliamentarians brought up a large number of boats from Upton and Gloucester to form bridges over the Severn and Teme. On Wednesday, the 3rd of September, the King reconnoitred the positions of the enemy from the cathedral tower, and observing some firing at Powick he visited the outposts there, and then returned to the city, and again ascended the cathedral tower, where he held a council of war.

At five o'clock in the morning General Fleetwood had marched with his forces from Upton, but, owing to many hindrances, did not reach the Royalist position at Powick until between two and three o'clock in the afternoon, when his right wing furiously assailed the cavaliers. The alarm was given, and large bodies of horse and foot marched from the Leaguer at St. John's to support the Powick position, which was desperately defended by Montgomery, who was at length wounded and obliged to be carried into the city, leaving Colonel Keith in command. Keith was shortly afterwards taken prisoner, and the ammunition of the royalists becoming nearly exhausted, they retired towards the city, but being joined by others from St. John's, they lined the hedges with musketeers and continued a fierce opposition. Cromwell, finding the combat extending down to the Severn, placed himself at the head of two regiments of foot, Colonel Hacker's horse and his own lifeguards, passed over the bridge of boats to Fleetwood's assistance, and was followed by Blake's, Gibbon's, and Marsh's regiments. A severe encounter took place, but, notwithstanding the gallant resistance of General Pitscottie's Highlanders, the royalists were completely defeated, and fell back upon the city. Observing the

march from Red Hill of this strong force of the Cromwellians, many officers desired to make an attack upon the remainder, and, although Lesley counselled delay, it was ultimately determined to assault the parliamentary position at Perry Wood and Red Hill. Charles led his forces out from Sidbury Gate, supported by the Duke of Buckingham, Lord Grandison, the Duke of Hamilton, and others, and attacked his enemy with an impetuosity that at first appeared irresistible; the steadiness, however, of two of Cromwell's regiments of foot well broke the force of the shock, and being seconded by the stern and unyielding bravery of the Ironsides, the onslaught was resisted. The Royalists formed for the purpose of renewing the charge, when Cromwell advanced from his encounter at St. John's, and the Royalists became attacked in their turn. Desborough's horse, and the regiments of Cobett, Pride, Lambert, Whalley, Harrison, Cooper, and Tomlinson, were brought into action, after rapidly recrossing the Severn, and a fierce fight raged for three or four hours. Two guns were brought to bear upon the Royalists, and made much havoc; the Duke of Hamilton was ordered to take them, and in leading a gallant attempt he received a fatal wound, and was carried into the city, to die five days afterwards in the Commandery. The King was at length driven back towards the city, some of his troops taking refuge in Fort Royal. The Royalists rushed through Sidbury Gate, followed by the victors, and another encounter occurred inside. Fort Royal was furiously attacked, ultimately (about seven o'clock in the evening) captured, and its guns turned upon the city, creating great confusion and dismay. Within the city the Royalists had been rallied by Sir James Hamilton, Colonel Careless, and other officers, and the fighting was continued in the streets. Charles endeavoured to animate his troops as they became disheartened, and rode up and down their ranks, sometimes hat in hand, exhorting them to stand to their arms and sell their lives as dearly as they could, and urging the goodness of the cause for which they fought; but finding his gallant efforts fruitless, he exclaimed, "I had rather you would shoot me, than keep me alive to see the consequences of this fatal day."

In Friar Street the King put off his armour, mounted a fresh horse, and made a last futile attempt to rally his men; many of them threw down their arms and sought their own safety. Finding at length that his efforts were useless, he suffered himself

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to be led out of St. Martin's Gate, but so narrowly escaped the vigilance of Cobbett and his Essex troopers, that at one time he was reported to be taken; he however got safely out of the town with a few faithful adherents, and England's second Charles became a proscribed fugitive in his own fair land. The fight continued to rage in High Street and down Lich Street to Sidbury Gate; the Earl of Cleveland, Colonel Wogan, Colonel Careless, Captains Hornyold, Giffard, and Ashley, Mr. Peter Blount, and other officers, rallying what men they could and charging the advancing troops of Cromwell through these streets. They were, however, overpowered by numbers, and driven back, but again made a stand at the Town Hall, where another desperate struggle took place, many citizens being killed or taken prisoners. All was in vain; resistance was swept away before the victorious Cromwellians, the retreating Royalists were pursued through St. Martin's Gate (the Foregate being mured up) by their conquering foes, and, after four or five hours of sanguinary struggle, the ancient and faithful city fell before the forces of the Parliament. Nearly four thousand dead cumbered the ground, and a large number of prisoners remained in the hands of the victors, those of the lower rank being imprisoned in the cathedral. Cromwell established his quarters in the city, and ordered the walls to be destroyed and the dykes to be filled up. Amongst the prisoners of importance were the Duke of Hamilton, the Earls of Rothes, Lauderdale, Carnworth, Kelly, Derby, Cleveland, and Shrewsbury; Lords Spyne and Sinclair, Sir J. Packington, Sir C. Cunningham, Sir R. Clare, Mr. R. Fanshawe, secretary to the King; six colonels and nine lieutenant-colonels of horse, thirteen colonels and eight lieutenant-colonels of foot, six majors of horse and thirteen of foot, thirty-seven captains of horse and seventy-two of foot, fifty-five quartermasters of horse, eighty-nine lieutenants of foot, seventy-six cornets of horse, ninety-nine ensigns of foot, ninety quartermasters of foot, thirty of the King's servants, nine ministers, and nine surgeons. Amongst the general officers were Major-General Piscotty, Major-General Montgomery, the general of the ordnance, the adjutant-general of foot, the quartermaster-general, the marshal-general, and the waggonmaster-general. The Royal Standard, 158 regimental colours, the whole of the artillery, baggage, &c., and the king's coach and horses, also fell into the hands of the victors. The mayor of Worcester, the sheriff, and all the aldermen were committed to custody.

I am enabled by the kind permission of Sir E. A. H. Lechmere Bart., to publish the following very interesting extracts from the diary of his ancestor, Nicholas Lord Lechmere, a Baron of the Exchequer, whose fine old residence, Severn End, in the parish of Hanley Castle, Worcestershire, is one of the most picturesque of the domestic buildings in that fair county. The ancient family of Lechmere is said to have had a grant of lands in Hanley from the Conqueror, and has been seated there to this date, being now worthily represented by the present kind-hearted baronet.

The judge's contemporary entries are as follows :—

"*August 22, 1651.*—friday, the + King w<sup>th</sup> a numerous army, most Scotts, some English, by long uninterrupted marches from Sterling (in Scotland) to Worcester, sodainly possessed himself of the City of Worr, and in a few daies fortified it beyond imagination. At the same time y<sup>e</sup> Scots possessed themselves of (and brake downe) Upton Bridge, Bewdley Bridge, Powick, and Brancefords Bridges.

"*Aug. 25.*—Massie, Major Gen. to y<sup>e</sup> + King w<sup>th</sup> about 130 Scottish horse quartered in my house at Hanley, hee treated my people civilly, but threatened extirpation to mee and my posterity, by cause I was ioyned to the army of the p'liam<sup>t</sup>.

"*Aug. 27.*—150 Scotts horse quartered at my house at Hanley.

"*Aug. 28.*—The p'liam<sup>t</sup> army under the com'and of the Lord Generall Cromwell advanced before Worcester, and at the same time Major Gen. Lambert gained Upton Bridge from the Scotts, in w<sup>ch</sup> enterprise Massie was wounded, and some few of the enemy slaine.

"*Aug. 29.*—The P'liam<sup>t</sup> army drew close to the city of Worr.

"*Sept. 3, 1651.*—it pleased God to give a totall overthrow to this Scottish army by his blessing on the army of the P'liam<sup>t</sup> of England com'anded by the Lord Generall Cromwell. The battell began on the west side the city (in those very fields where my brother in law, Colonell Edwyn Sandys, the 23 of Sept. 1642, fought with Prince Rupert and received the wounds whereof afterwards (1 Dec. 1642) he died, but was ended (and was sharpest) on the east side.

"The morning the battell was fought the Generall made a bridge over the river of Severne (a little above Teme Mouth), and another bridge close by over the river of Teme, whereby he passed over his army from side to side as he saw occasion. The battell began about one of the clock, lasted till night. I was present at it in pursuit of

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the victory. The city of Worcester was taken by storme, and all the wealth in it became booty to the Souldiers."

The King's entertainment whilst in the city was at the charge of the civic purse, and it is by way of introduction to the curious detailed account of these charges that I have thought it not out of place to recall the foregoing very faint outline of the eventful circumstances of his disastrous sojourn in Worcester.

No audit of the accounts occurred at the Feast of All Saints, 1651. Probably paralyzed by the direful calamity of war, and with its chief officers in custody, the city abandoned for the time all the routine of its usual business, and gave way to the melancholy lassitude which reaction from the excitement of so terrible an event was well calculated to produce.

In 1652 the audit was resumed as usual, and contains the following curious entry in reference to the occupation of the Town Hall by the troops :—

"Item payed for Stonpitch and Rosen to Psume the Hall after the Scotts. . . . . 2s."

Whether from disinclination to revive a calamitous subject, or from what other reason, cannot now be known, but certain it is that the audit of 1651 did not take place until 1655. The current accounts of that year are to be found in their proper place, without any reference to those of 1651, whilst the latter are recorded at the extreme end of the volume (which concludes with 1669), where they are entered in reversed form, and thus have hitherto escaped observation.

The account thus commences :—

**Cittie of Worcester. 1651.**

At a chamber there houlden the Twelfth daye of Aprill, in the yeare of the Lord One Thousand five hundred fyfty and five.

It is Ordered That Mr. fflownes and Mr. Hemynges Accompts as Chamberlaynes accordinge as they are stated By Mr. Beddoes, Mr. Wyldy, Mr. Sollers, Mr. Longmore, and Mr. Gworle bee entered in the Audit Booke.

**The Account of Thomas fflownes and Richard Hemynge, late Chamberlaynes of the Cittie of Worcester of moneys**



by them Receaved and Disbursed To and for the use of the said Citty, for the Rents and Revennues of the said Citty. As followeth.|| begininge from the feast of All Saints in the yeare of the Lord 1650, untill the feast of All Saints in the yeare of the Lord 1651.

Then follows a general statement of civic receipts and expenditure, comprising about six pages; some of the payments refer to the repair of the fortifications, but they are not of any special interest. The account then continues,—

*They* praye to be allowed the seuall somes of money which they were enforced and compelled to paye and disburse for provision for the Scotts Kinge dureinge the tyme he remayned in this Cittie, which was charged upon the Cittie and allowed by the chamber.

	£	s.	d.
The 22th of August, One Veale, two muttons, and three strikes of Salt ... ..	02	18	00
The 23th of August, one side of mutton, and twelve quails ... ..	00	17	00
One side of mutton and three quarters of Lambe ... ..	00	17	06
One Calfe of veale, a Tongue and elder ... ..	01	02	08
flower muttons, 48 Chickins and Henns, and two Rabbits ... ..	04	10	06
Two dozen of Piggions, nyne ducks, and three Piggs	01	00	01
Two Henns, five quails, two quires of paper, and two elders of beefe ... ..	00	09	04
One veale and 24 poundes of butter ... ..	01	15	06
Two poundes of butter, 18 egges, and a botle of viniger ... ..	00	03	04
The 24th August, One veale, tenn poundes of butter, and five dozen of egges ... ..	01	05	08
flower cowple of Rabbetts, one ffeazant, and one elder of beefe ... ..	00	13	06
Two Turkies ... ..	00	04	06
One Pott of butter, waighinge 28 poundes, pott and all, and five Hartichoakes ... ..	00	12	01
The 26th of August, Three Muttons, one veale, and two Rabbetts ... ..	03	10	04



	£	s.	d.
Three dozen of egges, and one pott of butter, waigh- inge eightene pounds	00	10	04
Two pounds of butter and two dozen of egges	00	01	06
The 27th of August, fower Muttons, two Henns, and a bottle of Viniger	02	17	10
Two pounds of butter, Twelve chickins, and five ducks	00	00	00
Two Turkies, fower Pigges, and fower Rabbetts	00	17	10
Two bottles of Viniger, three tongues, and 40 pounds of butter	01	11	04
fower Henns, tenn dozen of egges, and fower Pig- geons	00	08	00
One whole Beefe	04	10	00
The 28th August, Two Henns, five Chickens, and a bottle of Viniger	00	06	00
Three Muttons, one veale, and Twenty pounds of butter	03	03	00
Six pounds of Bacon, six Pulletts, and a Dozen of Piggions	00	10	04
Three strikes of Salt, Eight Henns, and eight chickens	01	08	10
Two Partridges, two Turkies, and two Piggions	00	07	02
for Milke for the Pastry, and fower dozen of egges	00	01	10
The 29th of August, One veale, fower Muttons, and fower pounds of Bacon	03	19	04
for Trouts, Piggeons, fower dozen of Eggs and seaven pounds of butter	00	06	07
fower Piggions, six Rabbetts, and a bottle of viniger...	00	07	03
Two Tongues and 12 poundes of butter	00	08	00
The 30th of August, two muttons, one veale, two henns, and five chickens	02	17	03
Twelve pounds of butter, Three dozen of Egges, and five Tongues	00	16	02
One Dozen of Piggeons, fower henns, and fowerteene Chickens	00	11	03
Tenn pounds of butter, one bottle of viniger	00	08	00
for fowle bought by John George	01	00	00
The 31st of August, one veale, one Lambe, two Piggs, and a dozen of Piggions	01	18	10

	£	s.	d.
Nyneteene pounds of butter, Three dozen of Egges, Three Muttons, and a bottle of viniger ...	03	12	09
The first of September, five pounds of butter, five chickens, and fower henns ...	00	08	11
Two Muttons, three sides of Lambe, and three Dozen of egges ...	02	02	00
A Bottle of viniger, two Pigges, and fower pulletts ...	00	10	10
for Herringes, Oyle, Cabbidges and rootes...	00	01	02
for two muttons, one cowple of Pulletts, and five pounde of butter ...	01	18	08
The second of September, One cowple of henns, a dozen of chickins, and 4 pounds of butter ...	00	08	11
Three Muttons, one veale, 24 egges, and a pounde of fresh butter ...	03	11	00
Tenn stone and nyne poundes of beefe, five Cowple of Chickens, and one cowple of henns ...	01	18	06
five poundes of butter, 12 egges, and a gallon and a point of viniger ...	00	08	05
Two Muttons ...	01	08	06
The Third of September, one veale, fower muttons, and seaven poundes of Bacon ...	04	10	07
Halfe a veale, one cowple of Henns, and fower cowple of Chickens ...	01	01	04
One dozen of egges, two cowple of Piggions, and two poundes of butter ...	00	03	10

**Wine BOUGHT FOR THE USES AFORESAID.**

	£	s.	d.
The 22th of August, paid for one Rundlett of Sack and seaven gallons att vi <sup>s</sup> viii <sup>d</sup> the gallon, one Rundlett of Clarrett and two gallons and a quart att 5 <sup>s</sup> 4 <sup>d</sup> the gallon and a Rundlett of white wine and to gallons & a quart att v <sup>s</sup> iiiii <sup>d</sup> the gallon ...	04	17	04
The 23th of August, for a gallon of Sack a gallon one pottle and a point of Clarrett ...	00	15	04
The 24th of August for five gallons of Sack and five gallons of Clarrett ...	03	06	08

	£	s.	d.
The 25th of August for tenn gallons and a pottle of Sack and eleaven gallons & a pottle of Clarrett wine ... ..	06	11	04
The 27th of August for eight gallons of Sack and thirteene gallons and a quart of Clarrett wine ...	06	04	00
The 28th of August for nyne gallons and a pottle of Sack ... ..	03	03	04
The 30th of August for tenn gallons of Sack and eleaven gallons of Clarrett ... ..	06	05	04
The first of September for three gallons and a quart of Sack and eleaven gallons of Clarrett ... ..	04	00	04
The second of September for nyne gallons of Sack eleaven gallons of Clarrett and five gallons of white wine ... ..	07	05	04
The third of September for nyne gallons of sack eleaven gallons and a quart of Clarrett and for a dozen and a halfe of glasses ... ..	06	06	00

## Spices.

The 25th of August one Pound of pepper halfe a pound of Ginger and fower poundes of Mace ...	00	06	08
fower ounces of Nutmegges two quires of paper & thirteene pound & a halfe of sugar ... ..	01	07	01
One ounce of Cloves one ounce of mace and an ounce of pepper ... ..	00	01	11
One ounce of nutmeggs one ounce of Sinnimon one ounce of sugar and a Charger of Sweet meates ...	00	19	00
The 29th of August thirteene pounds and a quarter of sugar thirteene pounds of reasons & eight pounds of currants ... ..	01	13	09
fower pounds of sugar fower pounds of raisons and three pounds of Barley ... ..	00	12	00
fower sugar Loaves waighinge 13 pounds & a halfe three pounds of Currants fower ounces of pepper & fower ounces of cloves ... ..	01	10	04
Two ounces of mace fower ounces of nutmegges and fower ounces of Sinnomon ... ..	00	06	00

	£	s.	d.
for a gallon and a poynt of Olives a quart of oyle and halfe a pound of Anchoves ... ..	00	10	09
for one quire of Capp paper and two quires of writeinge paper ... ..	00	01	11

## Candles BOUGHT.

The 27th of August for five pounds of Candles ...	00	02	06
The 28th of August for Thirty pounds of Candles ...	00	12	06
The 31th of August for Twelve pounds of Candles ...	00	05	00
The first of September for Twelve pounds of Candles	00	05	00
The second of September for two Dozen pounds of Candles ... ..	00	10	00
Paid the Porters and Crickers for carryinge beare from severall places ... ..	00	04	06

## Fruit.

The 23th of August for fruite .. ..	00	11	04
The 24th of August for fruite .. ..	00	04	08
The 25th of August for fruite .. ..	00	05	00
The 26th of August for fruite ... ..	00	03	04
The 27th of August for fruite ... ..	00	04	00
The 28th of August for fruite ... ..	00	05	03
The 29th of August for fruite ... ..	00	02	06
The 30th of August for fruite ... ..	00	05	06
The 31th of August for fruite ... ..	00	02	00
The first of September for fruite ... ..	00	03	00
For a dozen of Lemmons and a Dozen of Oringes ...	00	02	06
For five Cucumbers ... ..	00	00	03
For five Oringes and tenn Lemmons ... ..	00	01	06
The second of September for fruite ... ..	00	04	06
The Third of September for fruite ... ..	00	08	11

## Flower.

Paid John George for 53 Pecks of fyne flower att ijs. vj <sup>d</sup> . the peck ... ..	06	12	06
Paid John George for 16 peckes of Wheaten flower att ijs. the peck ... ..	01	06	00

d.		£	s.	d.
	Paid John George for nyne peckes of ffine fflower att			
09	ij <sup>s</sup> . vjd. the peck ... ..	01	02	06
	Paid John Stoneall for fower peckes of fyne flower att			
11	ij <sup>s</sup> . vjd. the peck ... ..	00	10	00
	Paid Edward Jecocks for three peckes of fyne flower			
	att ij <sup>s</sup> . vjd. the peck ... ..	00	07	06
06	Paid John Clarke for five peckes of fyne flower att ij <sup>s</sup> .			
06	iiij <sup>d</sup> the peck ... ..	00	14	00
00	Paid Roger Clarke for fower strike of wheaten meale			
00	att vij <sup>s</sup> . iiij <sup>d</sup> . the strike ... ..	01	09	04
	Paid Richard Durant for two bushells of meale ... ..	00	14	06
00	Paid for Mainchant spent att the Denery ... ..	00	13	09

## flower sent into the Pastrey.

	Two strike and halfe of flower, the one strike att 10 <sup>s</sup> .			
	and the other strike and halfe att 10 <sup>s</sup> . vjd. ... ..	01	00	06
04	five Peckes more att ij <sup>s</sup> . iiij <sup>d</sup> . the pecke ... ..	00	14	00
08	One pecke and a halfe of flower att ... ..	00	03	10
00	Two Peckes of flower att ... ..	00	05	00
04	flower Peckes more of fyne flower att ... ..	00	10	00
00	Two Pecks more of flower att ... ..	00	05	00
03	They praye to be allowed that they were Compelled			
06	to paye to the Scots Kinges Officers which they			
06	claymed as their fees due to them ... ..	02	05	00
00	They praye to be allowed That they paid to severall			
00	persons that were sent into the Country to buy			
06	provisions ... ..	00	05	10
03	They praye to be allowed that they paid Thomas			
06	Winsmore for ale for the Kinge of Scotts Table ... ..	02	00	00
06	They praye to be allowed that they paid for a dozen of			
11	Damaske napkins sent to the Denery and there lost	01	04	00
	They praye to be allowed that they paid for fower			
	Rundletts sent to the Denary with wyne and			
	there lost ... ..	00	10	00
06	They praye to be allowed that they paid for Twiggen			
	and glasse wine bottles sent to the Denary and			
00	there lost .. ...	01	01	02

	£	s.	d.
They praye to be allowed that they paid for Three Butter potts lost or broken att the Denary ...	00	01	06
They praye to be allowed that they paid for three point potts sent with Olives to the Denary and there lost ...	00	06	04
They praye to be allowed that they paid for two Pewter Dishes lost att the Denary ...	00	05	04
They praye to be allowed that they paid for two flasketts and a Baskett sent to the Denary with fruite and there lost ...	00	02	08
They praye to be allowed that they paid two men that were hired to Carry and re-carry provisions and other necessaries betweene the Denary and other places in the Towne ...	00	80	10

**Probinder.**

Paid for Three strikes of Oates ...	00	07	06
for two strikes of Beanes ...	00	05	04
for Twelve strikes of Oates ...	01	09	00
for Three strikes and a halfe of Oates ...	00	08	02
for Thirteene strikes of Oates ...	01	12	06
They praye to be allowed that was required of them by Henry Bauldwin, Henry Richards, Roger Pitt and others, and by their meanes with compulsion of the souldiers were forced to paye Henry Baldwin ...	04	00	00
To Roger Pytt ...	00	10	00
They praye to be allowed that they were enforced to paye for Eight Hundred a quarter and 23 pounds of Barr Iron ...	07	18	01
For two pounds of the best steele ...	00	01	06
For worke done by Earlsgate and his men ...	00	14	00
For Three hundred of Lead att 15 <sup>s</sup> . the hundred ...	02	05	00
Paid to the Kinge of Scotts Trumpeter ...	01	05	00
They praye to be allowed that they paid for a banquet of sweet meates which Mr. Pytt deliv <sup>ed</sup> to entertaine the Kinge of Scotts as by a note under Mr. Pytt's hand appeareth ...	03	02	10

	£	s.	d.
They praye to be allowed that was by them paid for Charges in Lawe brought against them for Mr. Pytt's debt and Mr. Baldwin's debt ...	01	00	00
They praye to be allowed that was by them paid unto Mr. Ashbie as executor of Launcelott Stoneall for glasses which Mr. Stoneall delivered ...	01	00	00

The totals are not brought down or carried forward, but from marginal notes of the accountant he appears (there are some inaccuracies) to have made the final total £183 14s. 4d.

Although this curious account thus concludes in an apparently unfinished manner, still, from the nature of the last entries, there appears little doubt that it is perfect and entire. The precise place of the King's stay whilst in Worcester has been hitherto the subject of some uncertainty, but the last eight items in the account for "Flower" appear sufficiently conclusive that his Majesty found quarters at the Deanery.

Signs of the times are found in scattered entries at the audits of 1652, and subsequently, of which the following (from various dates) may be taken as examples:—

	£	s.	d.
Item payed for Ingraving the States Armes upon the Sarieants Maces ...	00	8	0
Item payed a Messenger that brought Proclamacons about taking the King ..	0	2	6
Item payed a Messenger that brought the Act of Oblivion ...	0	2	6
Imprimis they pray to be allowed that was by them paid for Twelve Lampries to make fouer pies presented to the Lord Generall and the Lord Chief Baron ...	01	09	00
Paid Luke Hodges for Materialls and makeinge the said Pies ...	01	06	06
Paid for eight Lampries to make two Pies p'sented to Mr. Lechmor and Maior Salloway ...	00	18	08
Paid Edward Reddinge for meale, Butter Basketts, and his labour for making them ...	00	11	00
Paid for Carriage of all the said Pies to London ...	00	12	00

	£	s.	d.
Paid to Mr. Ballard for a pottle of Canary and three quarts of white wine and sugar that was spent when Mr. Maior and Mr. Aldermen went to meete the Comissioners to pcure the abatem <sup>t</sup> of contribucion	00	09	08
Alsoe that they payed for wine That was spent at the proclayminge of the Lord Protector ... ..	00	09	07

Numerous entries occur of charges for wine and "beare" spent upon the Commissioners with a view to "gett the contribucion abated," but they are of a similar description to the example before given.

My task might be here considered at an end, but I am tempted, at the risk of being tiresome, to linger even yet for a short time over these old pages, which give so true a reflex of the events of this most interesting period.

Judge Lechmere's quaint diary shall tell the next great event which influenced the fortunes of Charles II. :—

"*Friday, Sept. 3, 1658.*—This day & yeare about 4 of the clock in the afternoone, at White-Hall dyed that\* person Oliver Cromwell, Lord Protector of England, Scotland, & Ireland, having in his life time according to ye humble petition & advice of the last preceding parliam<sup>t</sup> declared his eldest sone, the Lord Richard Cromwell, his successor, who was the next day solemnly p'claimed in London & Westminster & throughout England ye weeke following, shortly after hee was p'claimed in Dunkirk, then in the poss<sup>on</sup> of the English (won by his father togeather with Mardike from the Spaniard in the yeare 1658). The Lord Richard (now Lord Protector) had the blessing of a peaceable entrance upon the government."

The Lord Richard, however, soon signed his own abdication, and sought in private life a quiet which there appeared little chance of his enjoying as Protector. Then followed the replacing the Rump Parliament, its ultimate dissolution, the assembling of the new Parliament in 1660, and the memorable letter of Charles containing the proposition for his return which met so warm a welcome. During the progress of these events the worthy judge, to whose diary we are so much indebted, appears, with a singular pen-

\* An erasure occurs here.

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tration, when we consider the perfect secrecy which was maintained as to the project of the king's return, to have foreseen the change then working in the public mind. He thus notes the event, and records his own sagacity:—

"Note, that May 29, the most excellent Prince Charles y<sup>e</sup> second, King of England, &c., came to London, hee having been most injuriously deprived of his kingdomes & gover<sup>mt</sup> ever since y<sup>e</sup> death of his father, Charles y<sup>e</sup> First (w<sup>ch</sup> was 30 Jan., 1648,) to that time. hee landed at Dover some few daies before, pass'd fr<sup>o</sup> Dover to London in continued throngs, and streetes of people flocking fr<sup>o</sup> all parts of o<sup>r</sup> nation, & was re<sup>cd</sup> by the greatest joy & heart satisfaction that soe long desired & soe worthily deserving a prince could bee. After y<sup>e</sup> dissolution of the Long P<sup>li</sup>ament (of w<sup>ch</sup> I was an unhappie member) I applied myselfe to his Mat<sup>ie</sup> then at Bruxells for his Pardon, w<sup>ch</sup> his Mat<sup>ie</sup> afterwards (at Breda) y<sup>e</sup> 4 Apr<sup>r</sup> 1660 most graciously granted mee, & I shortly after re<sup>cd</sup> it under y<sup>e</sup> great Seale of England. my chief instrument in procuring it was the right noble John L<sup>d</sup> Viscount Mordaunt, by the mediation of my most sincere (and therefore most honoured) friend Thomas Beverley, Esq<sup>r</sup>, now Sir Thomas Beverley, K<sup>nt</sup>."

It would thus appear that the Judge's views had undergone considerable change, but he does not record the reasons which induced this result, and the fact alone remains to us. He makes one further entry which has reference to the subject:—

"Apr<sup>r</sup> 22, 1661.—His Mat<sup>ie</sup> was crowned at Westminster, the pompe & solemnity of whose coronation was exceeding great & magnificent."

The loyal city of Worcester did not forget its congratulations upon the event, as appears by the following extract from the audits:—

**The said Chamberlaines praie to be**

Allowed and are Allowed the Charge Expended the Day  
of the King's Ma<sup>tie</sup>'s Coronation.

(vizt.)

£ s. d.

Payed Mr. Solley for twelve quarts of Clarrett Wyne,  
sixe quartes of Canarie sack, sixe quartes of white  
wine, two ounces of Tobacco, and twelve papers of  
sugar sent to the Towne hall, that time being the  
23th of Aprill, 1661 ... .. 01 10 00

	£	s.	d.
Payed him more for 3 quartes of Canarie sack, 3 quartes of white wine, and sixe sugars sent to the Hall at the same time ... ..	00	09	00
Payed Thomas Read for 2 quartes of Sack and two quartes of ffrench wine sent to the hall the same time ... ..	00	05	08
Payed Ambrose Meredith for 53 <sup>b</sup> weight of gun-powder ... ..	02	13	00
Payed him for six dozen of Match ... ..	00	09	00
Payed him for two pounds of Tobacco ... ..	00	07	04
Payed Robert Brooke for two hogsheads of beere and a grosse of Tobacco Pipes ... ..	03	01	00
£08 15 00			

The civic worthies whilst thus roystering over the accomplishment of their loyal hopes sought also a more permanent mode of evincing their attachment to the royal person, as I find at the same audit—

**They are allowed the charge of setting up the King's  
Statue at the Towne hall.**

	£	s.	d.
Paied Stephen Baldwyne for cuttinge and settinge up the King's Statue accordinge to the agreement' ...	20	00	00
Payed him more for his men's wages in setting up of the pediston and the arch... ..	08	12	00
Payed Baynham for the stone for erecting the pillar ...	02	07	00
Payed John Twitty for carrienge of Stone from Hadley	03	00	00
Payed for the vse of the winde to winde up the Stone and Statue ... ..	00	02	00
Payed John Edkins for gildinge the Statue by M <sup>r</sup> Maior's order ... ..	04	00	00

Other charges occur for stone from Hadley, for labour, and various expenses, amounting in the whole to £41 4s. 6d.

It is well known that, whether Charles II. did or did not justify by his acts and conduct the generous attachment of his friends, they regarded his cause with a most unselfish and loyal enthusiasm; and

royalist songs and royalist toasts were long interchanged in memory of the perils that had passed. One very interesting entry in the audit of 1665 attests this, and must for the present close my pleasant acquaintance with the Worcester records :—

£ s. d.

For wyne from Mr Reade when the Penrells who  
p'served the King were at the hall ... .. 00 08 00

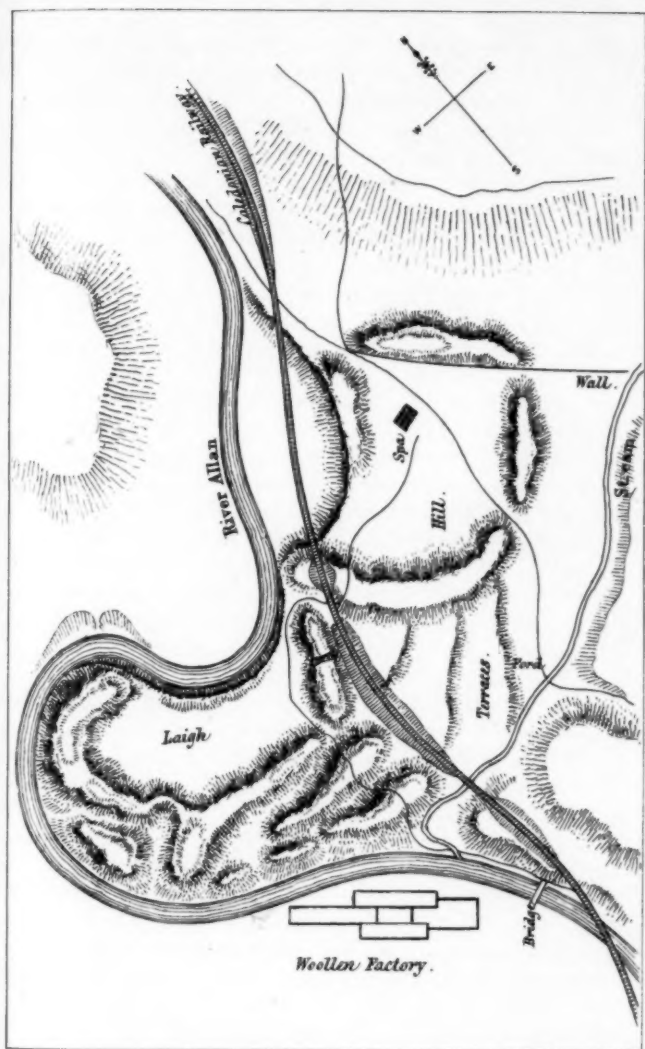
*Floreat semper fidelis civitas.*

## THE MOUNDS AT DUNBLANE AND THE ROMAN STATION OF ALAUNA.

BY WILLIAM THOMAS BLACK, ESQ.,

*Fellow of the Historical Society.*

THE locality bearing marks of military works near Dunblane is called Laigh Hill in the Ordnance map, though it is composed of several ridges and eminences. Curiously, however, the configuration of the ground is not delineated, though on the scale of six inches to the mile, but the neighbouring part all round is traced minutely. The situation is one of great natural strength, as it is surrounded by the loop of the river Allan, and by a small brook that runs into it opposite Mr. Wilson's woollen factory. The line of the Caledonian railway passes through it from south to north, and also divides one of the camp sites from the other, so that one may be called the east camp and the other the west one. From the appearance of the neighbouring rising grounds, which are all rounded and smooth, it is not unlikely that Laigh Hill, instead of being an aggregate of mounds, was at one time a single hill, if not a double one. With this idea in mind, it may be conceived that these works have been excavated out of the natural hills, and not erected, and therefore that the original rounded eminence of Laigh Hill has disappeared. This mode of constructing fortifications is visible in several old British strongholds, as at Sarum, Camelet, and Caterthun, where the aggers may be of such vast size as one hundred feet in width at the base and twenty-five feet at the top, and as many high. The supposed west camp is of an oval shape, and is contained in the loop of the river Allan; the northern face of its plateau rests upon the precipice overhanging the water. Round it are three curved mounds of considerable height and thickness, with openings or trenches at the south and east corners, while a curious curved curtain, lower than the mound on each side, closes the south gate. This has also been defended by an exterior mound between it and the river side, of rather uneven shape, running east and west. The south-east face of the camp has also the remains of four mounds, forming exterior ramparts, three of



W. H. M. Farlane. Lith. J. Allen.

SKETCH OF SUPPOSED REMAINS OF TWO  
OLD ROMAN OR BRITISH CAMPS NEAR DUNBLANE.

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which form a line along the river side; the other larger one lies intermediate, with its north-east point covering the east gate. The east agger has been cut through in the middle, but for what purpose does not appear. The east camp is of a much more quadrilateral shape than the other, and its plateau of larger area; it is a little lower also in level, and more overlooked. Its ramparts consist of three mounds, north, east, and south, while the western face abuts on a precipice facing the course of the river. The openings are on the north-west, north-east, and south-east corners, and the small mound further strengthens the north-west angle. The Spa House is built in the centre of this plateau, and footpaths pass through it at each of its four corners, but that on the south-west crosses the agger.

Between the two camps and facing the south-east there is a triangular level space of ground bounded on the south-east by a small brook; and which is lower than the level of the camps. On this there are three terraces facing east, each rising in height to the north-west corner of the triangle. The railway cutting goes through this space after crossing the little brook, and pierces the south-west corner of the east camp, and then passes along its west face. The north rampart looks very artificial, and the east one bears marks of being erected more than any of the others in the two camps. Should the military character of these mounds be accepted, then the west camp might be viewed as the citadel, the east one as the cattle kraal, and the intervening terraces as gardens.

It has been suggested that these mounds might be placed to the account of the undiscovered station of Alauna, supposed to be about halfway on the Roman road from the wall of Antoninus to Ardoch. No remains have been found at any other place to fix it, and Roy states that the Roman road probably crossed the river Allan twice, first at Dunblane and again at the Firs of West Fedal. Again, Roy indicates Keir, Sir W. S. Maxwell's place, to be the likely spot, as it is situated "on a fine eminence, which commands the junction of the Teith and Allan with the Forth." But Stuart, in his "*Caledonia Romana*," on the other hand, thinks Keirfield on the plain below to be more probable, "a mile from the junction of the Allan and the Forth." Keir, however, is least likely to have been a Roman station, as it would have been on the top of a hill, away from the road, and its derivation would appear to have been rather from *Caer*

than from Castrum. From Dunblane to Bridge of Allan is the defile, or passage from the high tablelands of Perthshire to the valley of the Forth at Stirling, and it is highly probable that some stations in it were fortified and garrisoned by the Romans. The road must have passed through it, and the convoys and columns of troops marching along it, between the wall and the great camp at Ardoch, would be watched by the Caledonians from their hill forts on Keir and Sunnyslaw on the flanks. There may have been therefore a station both at the entrance and exit from the defile, if we are permitted to indulge in conjecture, and both Keirfield and Dunblane might have been occupied.

Appearances, however, would indicate that the east camp would have been more suitable for the Romans than the old British one alongside on the peninsula, as it would be more on the line of road than the other. This road, after leaving the Forth beyond Keirfield, where there are some traces of it, kept to the west side of the river Allan, probably all the way to Dunblane, where it crossed the river, and would pass close by the camps of Ardoch by the high road at present in use. In conclusion it may be surmised that these mounds might have formed the chief stronghold or fortress of the Strathallan district in the time of the ancient Caledonians, and that the surrounding hill forts on the Ochils were its outworks. The accompanying sketch of a ground plan of these mounds is one drawn merely by inspection, and is not intended to represent the actual relative dimensions of a survey, but its scale may be roughly estimated at about twice that of the Ordnance map of six inches to the mile.

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## NOTES ON THE PERKIN WARBECK INSURRECTION.

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THERE are few subjects in our country's history which are so enshrouded in mystery as the so-called conspiracy which was designed to place Perkin Warbeck upon the English throne. It is with great diffidence that I present the following account, which I have collected from various sources, being well aware that the subject is one which has occupied and baffled many of our ablest historians.

In order to form a connected narrative, it will be necessary to consider the political state of England at the time when this formidable insurrection broke out. Henry VII. claimed the crown of England by three titles—descent, alliance, and conquest. By descent he was an illegitimate great-great-grandson of John of Ghent, which constituted, in itself, by no means a strong claim. As for conquest, he was liable to lose his crown by the same means that he had gained it. On his alliance, therefore, with Elizabeth, daughter of Edward IV., he based his strongest pretension. Notwithstanding their defeat, the Yorkists were still a powerful party in the State, and after the death of Richard III., without issue, would probably have declared for Edward, Earl of Warwick, nephew of Edward IV., or Elizabeth, widow of that king, had they not seen in Henry's union with the daughter of Edward, the fusion of the rival factions, and thereby a cessation of the sanguinary wars which had desolated England for so many years. It was a knowledge of this disposition on the part of many of his subjects, that probably induced Henry to keep the Earl of Warwick and the widow of Edward IV. so jealously guarded.

The first manifestation of discontent in the country was the ir-

surrection in the north and west, headed by Lord Lovel and Humphrey and Thomas Stafford, which however was speedily quelled. This attempt was immediately followed by the more dangerous conspiracy of Lambert Simnel, who represented himself to be Edward, Earl of Warwick, then a prisoner in the Tower, which was as unsuccessful as the former insurrection. During a space of five years, no further demonstration was made in favour of the Yorkists; but in the year 1491, another aspirant to the crown appeared, claiming to be Richard, the younger of the two princes who were supposed to have been murdered in the Tower. Had he indeed have been the prince he represented himself to be, he would undoubtedly have possessed a better right to the throne than Henry; for, as we have seen, the latter based his chief claim on his marriage with Elizabeth, the prince's sister. Whether he were really the son of Edward IV., or but a clever impostor, is a point which will probably never be determined; but on this subject I shall have more to say hereafter. The best historian of the time, indeed the only one at all worthy of the name, was Polydore Vergil, an Italian, attached to the court of Henry VII., naturally biased in favour of the king, and not likely to make statements inimical to his interests. To him, and the writings of the poet laureat, Andreas Bernard, also a foreigner, and desirous of retaining his position, subsequent historians have been chiefly indebted for their accounts of the events connected with the Perkin Warbeck conspiracy.

Little doubt exists but that the young man was materially assisted in the development of his project by Margaret of York, sister to Edward IV., and widow of Charles, Duke of Burgundy; but that she was, as has been alleged, the prime mover of the plot, and that she had trained Perkin Warbeck to personate the young prince, is by no means conclusively proved. The following quotation from *Hall's Chronicle*, which was published in 1548, sufficiently shows the spirit in which the historians of that day wrote of this insurrection:—

“The duches of Burgoyne so norished and brought up in the sedicious and scelerate faccions of false contryvers & founders of discorde coulde never cease nor be in quyet (like a vyper that is ready to burste with superfluyte of poyson) except he should infest and unquyet y<sup>e</sup> king of England. . . . And as the devell provydeith venomous sauce to corrupt banckettes, so for her purpose she espyed

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a certayne young man, of visage beutiful, of countenance demure, of wit subtile crafty and pregnant, called Peter Warbecke. And for his dastard cowardnes of the Englishmen, in derision called Perkyn Warbeck, accordyng to the duche phrase, which chaunge the name of Peter to Perkyn, to yongelinges of no strength nor courage for their timerous hartes and pusillanimitee. . . . Therefore the duches thinking to have gotten God by the foote when she had the devell by the tayle, & adjudging this young man to be a mete organ to convey her purpose, and one not unlike to be y<sup>e</sup> duke of Yorke sonne to her brother kyng Edward, which was called Richarde, kept hym a certayne space with her prevely, and hym with such diligence instructed, bothe of secretes and common affaires of the realme of England, & of the lignage, dissent, and ordre of the house of Yorke, that he like a good scholar not forgettyng his lesson coulede tell all that was taught him promptly without any difficultie or signe of any subornacion."—(Hall, fol. xxx.)

As soon as it was reported that the young prince was still alive, he was joined by many adherents of the Yorkist party, who supplied him with money and arms, to which doubtless the duchess contributed, and setting out from Portugal towards the end of the year 1491, he landed in Cork. He had not however been there long, before he received an intimation from Charles VIII. that if he would visit France, he should there find a safe asylum, and that assistance should be afforded him in recovering his rights. Perkin gladly embraced the offer of so powerful an ally, and on his arrival, was received with every mark of cordiality and respect. Charles, however, seems to have been actuated solely by a desire of serving his own interests, and held Perkin in a state of regal captivity, so as to secure a more advantageous treaty, then pending, with Henry VII. As soon as he was assured of a peace with England, he coldly dismissed his guest, who retired to Flanders. There the Duchess of Burgundy openly espoused his cause, and acknowledged him to be her nephew. According to the popular accounts, this was not his first visit to the court of the duchess; but, be that as it may, it was on this occasion that she publicly expressed her belief that he was Richard of York. Every day added increased strength to his cause. Already a powerful body of adherents in England were ready to assist him, and both Ireland and Scotland were favourably disposed towards him. His chief supporters in England were

Sir Robert Clifford; Sir William Stanley, Lord Chamberlain; Lord Fitzwalter; Sir Thomas Thwaites; Sir Robert Ratcliffe; and William Barley, of Albury, Hertfordshire. Besides these, he was assisted, as appears by a *Controlment Roll*, in the Record Office (11 H. VII. m. 6), by William Dawbeney; William Rysshford, of the Order of Preachers; William Worsley, Dean of St. Paul's; Robert Holborne; John Ratclyffe; Thomas Cressener; Thomas Astwode; John Stroys; William Sutton; and John Burton, all of London; Sir Simon Mountford, of Coleshull, Co. Warwick; and Thomas Powes, prior of the Order of Preachers, of King's Langley, Co. Herts. Of these, Sir Robert Clifford and William Barley were deputed to go to Flanders, and being probably furnished with money by his English sympathisers, were instructed to make arrangements for Perkin's descent upon England. It was at this time (1493), that he wrote from Dendermonde, in Flanders, to Isabella of Spain, whose daughter was betrothed to the Archduke Philip, to solicit her assistance. In this interesting letter, which is now in the British Museum (*Egerton MS. 616, f. 3*), and in an excellent state of preservation, he states that at the time of his brother's murder he was nine years of age, and that he was secretly sent out of England in the custody of two persons, and bound by an oath not to disclose his name and condition to any one, until after the lapse of a certain number of years. That one of those persons being dead, and the other returned home, he remained for a time in Portugal, whence he sailed to Ireland. Being invited by the king of France, he betook himself with his attendants to that kingdom, but Charles, failing to redeem his promise of assistance, he repaired to the court of his aunt, the Duchess of Burgundy. In this letter, he promises that if Isabella will use her influence with Ferdinand her husband, to assist him, he will, on the recovery of his hereditary kingdom, live in amity with Spain, and continue in closer alliance and friendship than ever his late father had done.

Henry, though he affected to treat the claim of Perkin Warbeck with contempt, was very uneasy as to the result, and dispatched Sir Edward Poynings and Dr. Warham (afterwards Archbishop of Canterbury), to Philip, Archduke of Burgundy, grandson of Charles, late husband of the dowager duchess, demanding the extradition of the adventurer (Rymer's *Fœd.*, xii., p. 544). Philip, being under age, replied through his council, that he desired nothing more than to be

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on terms of friendly alliance with the king of England, but that the Duchess of Burgundy being paramount in the lands of her dower, he could not interfere in her affairs, or prevent her from acting as she pleased (Hall, p. 34). Twice was Roger Machado, Richmond Herald, sent to the court of Charles of France, ostensibly on a friendly mission, but really, as appears from his letter of instructions, to sound the king. Warbeck is spoken of in the letter as "le garson," and the ambassador was directed, in case Charles should speak of him, to reply, that the king was perfectly at his ease with respect to the imposter, as every one knew who and what he was, and how worthless was his cause. (*Cott. MS.*, Calig. D., vi., ff. 18, 20b. Mus. Brit.)

No English monarch employed more *mouchards* in his service than Henry, himself one of the most astute. From these he learned the active part which Sir Robert Clifford took in Warbeck's preparations, whereupon he determined to use every means in his power to induce the knight to betray his associates. In this design the king succeeded, and by the assurance of a pardon and a substantial reward, Clifford returned to England in December, 1494, and disclosed everything to the king. By entries in the Privy Purse Book, quoted in Bentley's *Excerpta Historica* (p. 100), we find that Clifford valued his honour at £500, and that William Hoton and Harry Wodeford were paid £26 13s. 4d. for bringing him to England. The principal conspirators were seized and condemned to death: Sir Simon Mountford, Sir Robert Ratcliff, and William Dawbeny, were immediately executed. Lord Fitzwalter escaped for a time, but was captured by the servants of Lord Oxford (who received £10 for their services), and was shortly afterwards brought to the scaffold. William Barley was probably still in Flanders, as no mention is made of him at the time; and the others, whose names have been before mentioned, were pardoned. The manner in which Sir William Stanley was denounced and seized affords a striking example of that duplicity which was so characteristic of Henry. On the 4th of January, 1495, Stanley and others were summoned to attend a council to be held in the Tower, (*Stow*, p. 477); and when assembled, Clifford, who had already disclosed the whole scheme to Henry, entered, and acknowledging his connection with Warbeck, begged the king's forgiveness. This was granted, on condition that Clifford should confess all he knew of the matter, whereupon he

impeached, amongst others, Sir William Stanley, Lord Chamberlain, then present. Every one, except perhaps the king, was thunderstruck at the charge, for Sir William was brother of Thomas, afterwards Earl of Derby, who had married Margaret Tudor, mother of the king, and one of the principal agents in placing Henry upon the throne. The only charge made against him was that he had been heard to say that if he were sure that Warbeck were King Edward's son, he would never bear arms against him. Had he been guilty of a graver crime, Polydore Vergil and Andreas, the court chroniclers, would not have failed to have recorded it, in extenuation of the king's conduct. To declare a preference for the House of York over that of Lancaster, was, however, deemed sufficient to justify a charge of high treason. Later historians have not scrupled to assert that Stanley's wealth was one of his gravest offences in the eyes of the king, and that it was a desire to possess his vast estates which mainly influenced Henry in condemning his kinsman to death. (Bacon, p. 610.) On the 16th of February, 1495, Sir William Stanley was beheaded on Tower Hill, and by a privy-purse entry of the 20th of the same month, we find that Henry paid the sum of £10 towards the expenses of the execution, and a few days later, £17 19s. for his burial at Sion.

Apprehending no immediate danger from Warbeck, now that he had lost his principal supporters in England, Henry set out on the 25th of June, on a progress towards the north. Warbeck, probably apprised of his intention, fitted out an expedition, with the assistance of the Duchess of Burgundy, and made a descent upon the English coast. A portion of his troops landed at Deal on the 3rd of July, 1495, but Perkin himself remained on board until he had learned the disposition of the inhabitants. It was fortunate for him that he did so, for the Kentish men, instead of assisting him as he imagined, fell upon his soldiers, killing a great number, and taking about a hundred and fifty prisoners, all of whom were hanged. Henry continued his journey, and spent several days with his mother at Latham, the house of Thomas Stanley, Earl of Derby, whose brother, but a few weeks before, he had caused to be executed.

After his repulse at Deal, Warbeck again sought a refuge with Charles VIII. of France, but by the terms of a treaty concluded at London, between that monarch and Henry, on the 24th of February, 1496, he was unable to remain there longer, and once more turned

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towards Ireland. There he was joined by Desmond and others, but the populace, who cared as little for Yorkists as for Lancastrians, received him but coldly. Having lost three of his ships in vainly endeavouring to capture Waterford,\* he sailed for Scotland, where he was kindly received by King James IV.

So favourably impressed was James as to the genuineness of Warbeck's claims, that he bestowed upon him the hand of his cousin, Lady Catherine Gordon, daughter of George, second Earl of Huntley, by Jane, daughter of James I. It is extremely improbable that the Scottish king would have sanctioned the union of Warbeck with a member of his own royal house, were he not thoroughly convinced that Perkin was indeed the son of Edward IV., and more-over likely to succeed in his project.

For nearly five years Perkin had been a source of great disquiet to Henry. Though the snake had been scotched, it was far from being killed, and now showed stronger symptoms of vitality than ever. Richmond Herald was again dispatched to France, in order to discover the feelings of Charles on the subject of Perkin's claim. In the letter of instructions, in the British Museum (*Cott. MS.*, Calig. D., vi., f. 22), dated the 5th of March, 1496, Richmond is directed to thank the French king for the late visit of his two ambassadors; to express Henry's desire for a personal interview; to speak of a matrimonial alliance between the two countries; and to tell the king that he need not distress himself about repaying a loan which he had had from Henry, for another year. In the same MS. (fol. 28) is a fragment of further instructions, which Richmond probably received at the same time, and which constituted the real object of his mission. In these he is instructed, that should any inquiries be made respecting the "garson," to treat the matter with seeming indifference, and to say that that affair is one of the least cares the king has. But to show how utterly false this assumption of security really was, we find Richmond is ordered to adroitly bring the con-

\* A *comptours* of William Hatteclyffe and others, of expenses and receipts in Ireland at this time, is preserved among the Royal MSS. in the British Museum, (18 C., xiv.) It contains many interesting records connected with the landing of Perkin Warbeck, and would well repay a more thorough examination than I have been enabled to make. By one item in this book it appears that the three captured vessels were sold for £93 6s. 8d., from which we may infer that they were of no great size.



versation round to the subject, should it not be broached by Charles or his ministers, "Et si d'aventure on ne luy en parle point, qu'il se mette en devoir par tous bons moiens de doner occasion q'on luy en puisse parler." He was also to say that he had good reason to believe that the king of Scotland meditated an attack upon England, and to remind Charles that at a meeting held at Turin in August last, he had promised, in the event of such a contingency, to assist Henry.

Meanwhile the Low Countries had ceased to be a *point d'appui* for Perkin, for towards the close of the year 1495, the Emperor Maximilian of Germany resigned his guardianship over his son Philip, who however was still a minor. One of the first public acts of Philip was to send ambassadors to England, begging a renewal of the Treaty of Commerce, which Henry had broken off about two years previously, when Philip had refused to deliver up Warbeck. Philip's ambassadors found no difficulty in concluding their mission, and on the 24th of February, 1496, a treaty of peace and perpetual amity was signed at London. (*Act. Pub.*, xii., p. 576.) Not the least important article in the treaty was, that both sides engaged to give no assistance to the enemies of the other; Philip expressly stipulating to prevent the Duchess of Burgundy from harbouring any of the king's rebellious subjects, and that, in case she acted contrary to this prohibition, he promised to deprive her of all her possessions in Flanders.

The king of Scotland, finding there was but little chance of foreign assistance, determined to make an incursion upon Eng'land at once. He accordingly marched, accompanied by Warbeck, into Northumberland, where he expected to be joined by a considerable number of Yorkists; but though he issued a proclamation in the name of King Richard IV., calling upon the people to support their lawful sovereign, none obeyed the summons.\* James, having advanced so far into the enemy's country, thought it was too good an opportunity to be wholly lost; so, finding that it was impossible to enlist any

\* In this proclamation Warbeck denounces Henry as an usurper, and says that Henry, well aware that he cannot hold his position much longer, is sending vast amounts of treasure abroad, for his future subsistence. He offers a reward of a thousand pounds, and an annuity of a hundred marcs in houses and land, to whomsoever will intercept the king in his attempted flight. (*Harl. MS.*, 283, fol. 183 b., *et seq.*)

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sympathizers amongst the Northumbrians, he contented himself with carrying off everything of value belonging to them that he could sieze (Bacon, p. 616). Polydore Vergil relates, that on this occasion, Perkin, feigning to be moved at the distresses of the people, implored the king, in the presence of the court, to spare his miserable subjects: to which James replied, with a sneering smile, that he thought it very generous of him to be so careful of what did not seem to belong to him, for not a man had joined his standard.

As Scotland was now the stronghold of Warbeck, Henry was anxious to learn the future plans of James, and in order to accomplish this, he contrived to secure the services of John Ramsey, Lord Bothwell, who was attached to the Scottish court. Through his agency Henry learned all the secrets of the enemy, and there are extant two letters written by Bothwell, one dated in August, and the other in September, 1496. In the latter he informs the king that James and Warbeck,—or the “feynt boy,” as he calls him—at the head of 1,400 men, intended making another expedition against England on the 17th day of the month, and that two vessels, with sixty Flemings, under the command of Roderick de la Lane, had recently arrived. He tells the king that though James be his countryman, yet he is Henry’s servant, and “welbot schew y<sup>e</sup> treucht.” He advises the king to make an immediate descent upon Scotland, and writes, that if he have a fleet of ships in readiness it would be a favourable opportunity to sail northwards, “for all y<sup>e</sup> schipmen and inhabitants of y<sup>e</sup> haven towns pass with y<sup>e</sup> king beland and yus my<sup>t</sup> all thar navy be distroyit and havin touns brynt. I past in y<sup>e</sup> castell of Edinburcht and saw y<sup>e</sup> provision of Ordinance y<sup>e</sup> quhilk is bot litill that is to say ij great curtaldis y<sup>t</sup> war send out of France x falconis or litill serpentinis xxx cart gunnis of irne with chawmeris and xvi clos carts for spers powder stanis and odir stuf to yir gunnis longin.” (*Cott. MS., Vesp. C., xvi., ff. 152, et seq.*)

Henry does not seem to have acted upon Bothwell’s advice, but endeavoured to temporize with the king of Scotland, in order to gain time, hoping thereby to wear out the patience and the purses of the Yorkists. He therefore commissioned Richard Fox, Bishop of Durham, to treat, as of himself, for a marriage between James and Margaret, Henry’s eldest daughter. Thomas Savage, Bishop of London, was also dispatched to Ferdinand and Isabella of Spain, to confirm his alliance with them, and to secure, by fresh engagements,

the marriage of Arthur, his eldest son, with Catherine, their third daughter.\* (Rymer's *Fœd.*, xii., p. 636.)

Scotland was the only country from which any danger was to be apprehended, and negotiations having failed, Henry determined to prosecute the other alternative with vigour. He summoned a parliament on the 16th of January, 1497, the only purpose of which was to levy a subsidy of £120,000, and two Fifteens. The rigour with which this tax was levied produced much discontent among the people, particularly in Cornwall, where it was flatly refused. Thomas Flammock and Michael Joseph, of Bodmin, were particularly active in encouraging the people to resist the imposition, and induced them to take up arms in opposition to the king. A considerable body of the malcontents marched through Devonshire into Somersetshire, where James Tuchet, Lord Audley, assumed the command. They proceeded to Salisbury and Winchester, gathering fresh numbers as they went, and finally, to the number of sixteen thousand, as stated by Bacon (p. 619), encamped at Blackheath. Had there been any unity of action between them and the army of the king of Scotland, it might have gone hard with Henry; as it was, the southern insurgents were completely routed on the 22nd of June, 1497, and Audley, Flammock, and Joseph, being taken prisoners, were executed, (Hollingshead, p. 782): the others were permitted to return to their homes.

The insurrection in Cornwall afforded James a favourable opportunity of making another incursion into England. He laid siege to the Castle of Norham, but on the news of the approach of the Earl of Surrey with twenty thousand men, he retired to Edinburgh, and shortly afterwards instructed the Earl of Angus to propose terms for a peace. As in these no mention was made of Warbeck, Henry refused to accept them; but unwilling to break off the treaty altogether, he dispatched Richard Fox, Bishop of Durham, in July 1497, to re-open negotiations. One of the stipulations was that Warbeck should be delivered up to Henry, "not for anie estimacion that wee

\* Amongst the Egerton MSS. in the British Museum (616, f. 5), is a letter of Warbeck's, dated the 18th October, (1496). It is addressed to Barnard de la Forse, then in Spain, whose son Anthony was with Warbeck in Scotland. It does not throw any light upon his proceedings, but is extremely interesting, inasmuch as it bears the autograph, and I believe the only one extant, of Perkin Warbeck. He styles himself Richard, King off England, in a bold English hand, which shows plainly, that though educated in Flanders, he had an English tutor.

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take of him, but because our cousen (James) . . . having been in his companie entered in puissance within our land . . . and less therefore may wee not do with our honor, than to have the deliverance of him, although the deliverance or having of him is of noe price or value (*Cott. MS.*, Vesp. C., xxvi. f. 21). The king of Scotland was on the horns of a dilemma: on the one hand, he was little disposed to provoke a war with England, in which the chances of success were much against him; and on the other, he was unwilling to betray Warbeck, whose safety he had guaranteed, and who was nearly connected with him by marriage. Henry's sagacity smoothed the difficulty:—there was then in England Pedro d'Ayala, envoy from Ferdinand of Spain to King James; and to him, as a neutral party, was committed the task of settling the terms of peace. Through his endeavours the embarrassing question was settled. It was arranged that James should honourably dismiss Warbeck, without prejudice—to use a legal phrase—and that afterwards the two kings should arrange terms for a treaty of peace, as though he had never been in Scotland. James accordingly represented to Warbeck that he had assisted him to the extent of his power; that he had twice invaded England on his account; and that as the English people showed no disposition to join him, he had better try his fortune elsewhere. Thus courteously dismissed, Warbeck took his departure from Scotland, and with his wife and a small band of followers, embarked for Cork, where he landed on the 26th July, 1497. The Irish proved less disposed than ever to espouse his cause, and as a last resource, he determined once more to try his fortune in England. Much discontent still remaining in Cornwall, thither he directed his course, and with a fleet of only three small vessels and a force of seventy men landed at Whitsand Bay, near the Land's End, on the 7th September, (*Stow*, p. 480). Having by liberal promises of reward assembled about three thousand men, he sent his wife to St. Michael's Mount for safety, and at the head of his undisciplined troops marched upon Exeter; where, contrary to his expectation, he found the gates closed upon him. Sir Edward Courtenay, Earl of Devon; William, his son; Sir John Croker; Sir Edmund Carew; Sir Thomas Fulford; Peter Edgecombe, and others, collected a number of men in order to oppose his further progress. (*Hollingshead*, i., p. 784.) Hearing this, Warbeck, after a two days' fruitless attack, raised the siege of Exeter, and hastily retired to

Taunton, which he reached on the 20th of September. There he encamped, as though he intended to await the forces of the king, but the same night, he, and several of his principal followers, fled to the monastery of Beaulieu in Hampshire, where they took sanctuary. Warbeck's followers, now without any leaders, were forced to submit without striking a blow: a number of them were hanged, and the rest were heavily fined for their delinquency.\* (Rym., *Fœd.*, xii., p. 696.) The monastery of Beaulieu was strictly watched to guard against Warbeck's escape, and a detachment of troops was sent to seize his wife, lest, should she give birth to a son, another claimant should arise to the crown, (Hollingshead, p. 784). Henry was much perplexed how to obtain possession of Warbeck. He durst not allow him to remain where he was, however securely he might be guarded; and he was unwilling to violate the privileges of a sanctuary. He therefore sent a proposal to Warbeck, promising him a full pardon on condition of his acknowledging himself to be an imposter. Warbeck, finding all hope of escape cut off, embraced the offer of the king, and surrendered himself at Taunton on the 5th of October. On arriving in London, which was not until the 28th of November, he was sent as a prisoner to the Tower, from whence he made his escape, and took refuge in the monastery of Shene, in Surrey, (Hall, f. xlix.) Again the king promised him his life if he would leave the sanctuary, but on doing so he was placed for a whole day in the stocks in Westminster Hall, and on the following day (14th June, 1499), was compelled to read, from a scaffold erected in Cheapside, what purported to be a full confession of his crimes, and a history of himself. This document, though somewhat lengthy, is of such an extraordinary nature that I have transcribed it as printed in the Chronicle of Grafton, (p. 929):—

"I was borne in the towne of Turney in Flanders, my father's name is John Osbeck, which sayde John Osbeck was Comptroller of the said towne of Turney, and my mother's name is Catherine de Faro. And one of my groundsires upon my father's side was named Dyrck Osbeck which dyed, after whose death my grundmother was maryed unto Peter Flamme, that was receaver of the forenamed towne of Turney, and Deane of the Botemen that rowe upon the

\* The total amount of fines collected in the counties of Somerset, Dorset, Wilts, Hants, and a portion of Devon, amounted to £9665 10s., besides a large sum which was levied in Cornwall. (*Cott. MS.*, Calig. D., vi., f. 22.)

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water of ryver, called Leschelde. And my Graundsire upon my mother's side was Peter de Faro, which had in his keeping the keyes of the gate of St. John's within the same towne of Turney. Also I had an uncle called Maister John Stalyn, dwelling in the parishe of Saint Pyas within the same towne, which had married my father's sister, whose name was Jone or Jane, with whome I dwelled a certayne season. And after I was led by my mother to Andwerp for to learne Flemmishe, in a house of a cousyn of mine, an officer of the sayde towne, called John Stienbeck, with whome I was the space of half a yere. And after that I returned agayne to Turney, by reason of the warres that were in Flaunders. And within a yere following I was sent with a Marchant of the sayde towne of Turney named Berlo, to the marte of Andwerp where I fell sick, which sickness continued upon me five moneths. And after this the sayde Barlo set me to borde in a Skinners house, that dwelled beside the house of the Englishe nation. And by him I was from thence caryed to Barowe marte, and I lodged at the signe of the olde man, where I abode the space of two moneths. And after this the sayde Barlo set me with a Marchant at Middelborough to service for to learne y<sup>e</sup> language whose name was John Strewe, wyth whome I dwelled from Christmas till Easter, and then I went into Portyngale, in the companie of Sir Edward Brumptones wyfe, in a ship which was called the Quenes ship. And when I was come thither, then I was put in service to a Knight that dwelled in Lushborne whiche was called Peter Vaez de Cognia, wyth whome I dwelled a whole yere, which sayde knight had but one eye. And because I desyred to see other countries, I tooke licence of him, and then I put my selfe in service with a Briton, called Pregent Meno, the which brought me with him into Irelande, and when we were there arrived in the towne of Corke, they of the towne, because I was arrayed with some clothes of Silke of my sayde maisters, came unto me and threped upon me that I should be the Duke of Clarence sonne, that was before time at Develin. And for-as-much as I denied it there was brought unto me the holy Evangelists and the crosse by the Maior of the towne, which was called John le Wellen, and there in the presence of him and other I tooke my othe as the truth was, that I was not the foresayde Dukes sonne, nor none of his blood. And after this came unto me an Englishe man, whose name was Stephen Poytron, with one John Water, and layde to me in swear-

ying grat othes, that they knew well that I was King Richardes Bastard sonne : to whome I aunswered with like others that I was not. And then they advised me not to be afearde, but that I should take it upon me boldly, and if I would do so they would ayde and assist me with all their power agaynst the King of England, and not only they, but they were assured well that the Erles of Desmond, and Kildare, should do the same. For they forced not what parte they tooke, so that they might be revenged upon the King of England, and so agaynst my will made me to learne Englishe, and taught me what I should do and say. And after this they called me Duke of Yorke, second sonne of King Edward the fourth, because King Richards bastard sonne was in the hands of the King of England. And upon this the said John Water, Stephen Poytron, John Tiler, Hughbert Burgh, with many other, as the foresayde Erles, entered into this false quarell. And within short time after, the French King sent an Ambassador into Ireland, whose name was Loyte Lucas, and mayster Stephyn Fryam, to advertise me to come into Fraunce. And thence I went into Fraunce, and from thence to Flaunders, and from Flaunders into Ireland, and from Ireland into Scotland, and so into England."

After reading this confession, he was confined once more in the Tower, where he conspired with four servants of Sir John Digby, the lieutenant, to escape in company with the unfortunate Earl of Warwick, after first murdering Sir John, (Hall, fol. l.) There can be little doubt but that the means of devising this plan were intentionally provided through the instrumentality of the king, so as to afford him a pretext for taking Warbeck's life without breaking his former promise. Perkin was brought to trial on the 16th of November, and being found guilty, was executed on the 23rd of the same month.

The Lady Catherine, his wife, seems to have been kindly treated by Henry and his queen, who assigned her an ample allowance which she enjoyed until her death. In the expenses of the Privy purse are many entries of money paid to the *White Rose*, as this lady was usually styled. After Warbeck's execution she was married to Sir Edward Cradock, Knt., and was buried with him in St. Mary's Church, Swansea.

Whether Warbeck were really the prince he claimed to be, or not, is a most difficult question to decide. It certainly is extremely improbable that the life of Edward the Fifth's brother should have been

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spared at the time the king was murdered; and it is still more improbable, that even if it were spared, the young prince should not have been more carefully guarded than he was. We find too, that when Warbeck besieged Exeter, the Earl of Devon, and William his son, were actively engaged on the side of the king. Now William Courtenay married Catherine, sister of the supposed prince; it is therefore only reasonable to suppose that William Courtenay looked upon his claim as fraudulent. On the other hand, the confession is of little value as evidence, for it was made under fear of death; and though, as the early historians affirm, it was written by himself, it is clearly false, for no allusion is made to the Duchess of Burgundy, and the part which she took in the matter. Again, it is stated in that document that it was not until after his arrival in Cork that he was forced against his will to learn English. It would have been utterly impossible for him to have acquired the language so thoroughly that when Clifford spoke with him in Flanders the following year, he should not have betrayed his foreign birth by his accent; and yet no such defect was ever charged against him. Why was he never confronted with his supposed mother, who was securely lodged in a nunnery at Bermondsey? Surely she could have set the question of his identity at rest. There is a little uncertainty respecting the date of the young prince's birth: according to some accounts he was born in 1472, and according to others, two years later. In the letter to Isabella, before referred to, he is said to have been nine years old in 1483. Now Margaret of York married Charles, Duke of Burgundy, in 1467, which was five or seven years before the prince's birth; and from that time she never returned to England. It is difficult to imagine, therefore, how the duchess could have instructed young Perkin in the occurrences at the English court, which she herself could only have learned from others. In attempting to decide on the justness of the claims set up by Warbeck, it should ever be borne in mind that the only cotemporary accounts we have of him were written by his avowed enemies, who naturally suppressed every circumstance which seemed to favour his pretensions.

\*• In *Add. MS.* 5485, fol 230 *et seq.*, Mus. Brit., will be found a transcript from an older document, giving an account of a plot against the king's life, to which Warbeck was said to have been privy, and in which the principal person inculpated was John Kendal, prior of the Order of St. John of Jerusalem. As John Kendal enjoyed the king's favour until the time of his death, which did not take place until five years afterwards, it seems probable that the whole account is false.



## THE CHRISTIAN ERA.

BY JOHN J. BOND, ESQ.,

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THE historical reckoning of the years of the Christian era, according to the system introduced by Dionysius Exiguus in the sixth century, differs to the extent of four years from the date which suits the words of the gospels, when we reckon the Christian year from Christmas day, (the 25th of December).

"Our Lord was born in the 28th year, when first the census was ordered to be taken in the reign of Augustus." [Clement of Alexandria, *Stromata*, book I., ch. xxi.] "Now when Jesus was born in Bethlehem of Judæa, in the days of Herod the king." [St. Matthew ii. 1.]

The commencement of the Christian era being therefore in the twenty-eighth year of Augustus, we have to discover the year which was then used as the guiding date for historical facts, to which the twenty-eighth of Augustus would correspond; and as the "Year of Rome" was then used, and reckoned from the 21st of April to the next 20th of April for one year, according to the calculations of Varro,\* we find 750 A.U.C., to be the year corresponding to the twenty-eighth year of Augustus, as the years of the Roman emperors were at first reckoned from the date of the battle of Actium, which took place on the 2nd of September, 723 A.U.C. An instance of this reckoning is given by Josephus in the passage which refers to the census taken at the time of the deposition of Archelaus, in the tenth year of his reign: "But in the tenth year of Archelaus's government, both his brethren and the principal men of Judæa and Samaria, not being able to bear his barbarous and tyrannical usage of them, accused him before Cæsar. So Archelaus's country was laid to the province of Syria; and Cyrenius, one that had been consul, was sent by Cæsar to take account of the people's effects in Syria, and to sell the house of Archelaus," [Josephus, *Antiq. Jud.*, b. xvii., ch. xiii., 2, 5]. And again, "When Cyrenius had now disposed of Archelaus's money, and when the taxings were come to a conclusion,

\* Varro died in the year 725 U.C.

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which were made in the thirty-seventh year of Cæsar's victory over Antony at Actium" [*Id.*, xviii., ch. ii., 1].

The death of Herod can thus be easily dated, as Archelaus succeeded Herod; for as the tenth year of the reign of Archelaus, according to the statement of Josephus, was in the thirty-seventh year of Augustus, it follows that the first year of the reign of Archelaus was in the twenty-eighth year of Augustus, upon the death of Herod; and as Archelaus mourned for his father seven days, and then attended at the feast of the passover (the date of which we can determine by the date of the new moon, the fourteenth day of which would be the time for the preparation), we know that the date of the Passover found with the Golden number of the Metonic Cycle for the year 750 U.C. was the 14th of Nisan = 29-30 of March.

Having thus shown that the years of Augustus were in the first instance reckoned from the date of the battle of Actium [723 A.U.C.], we can, without hesitation, state that Christmas day, the 25th of December in the twenty-eighth year of Augustus, belonged to 750 A.U.C. according to the system of calculating the years at that time.

With reference to the time of taking the census, we find that "a census was sometimes taken in the provinces, even under the republic (*Cic. Verr.*, 53, 56); but there seems to have been no general census taken in the provinces till the time of Augustus. This emperor caused an accurate account to be taken of all persons in the Roman dominion, together with the amount of their property; and a similar census was taken from time to time by succeeding emperors, at first every ten, and subsequently every fifteen years" [Dr. Smith's "Dictionary of Greek and Roman Antiquities"].

We will now show how it happens that 1 A.D., according to the reckoning of Christians at the present day, was made to correspond to 754 A.U.C. by Dionysius Exiguus, A.D. 533. It appears that "after the battle of Actium, a quinquennial festival was instituted, and the birthday of Augustus, as well as that on which the victory was announced at Rome, were regarded as festival days. \* \* \* It was not, however, till B.C. 11 that the festival on the birthday of Augustus was formally established by a decree of the Senate" [*Dion. Cass.*, lib. 34]. \* \* \* "The name Augustus was bestowed upon Octavius in the year 27 B.C. \* \* \* It was, however, borne not only by Tiberius and the other emperors connected with the family of

Augustus, but was likewise adopted by all succeeding emperors, as if descended either by birth or adoption from the first emperor of the Roman world. \* \* \* From this time [the end of the second century of the Christian era] we frequently find two, or even a greater number of Augusti. \* \* \* When there were two Augusti, we find coins and inscriptions AVGG; and when three, AVGGG" [Dr. Smith's "Dictionary of Greek and Roman Antiquities," *Augustales*]. And thus, as the name "Augustus" became so common to the Roman rulers that two or three rulers could bear it at the same time, the years could no longer be reckoned as of the reign of one person; consequently the date of the Augustan era was then reckoned from the time of the first introduction of the name "Augustus," which was in the fifth year of the era of the Roman emperors.

After the date of the Council of Nice [A.D. 325] in the fourth century, we find a cycle of golden numbers, which was introduced for the ready calculation of the date of the new moon of the vernal equinox, by Theophilus of Alexandria, A.D. 380, made to suit the reckoning of the "Augustan era." The cycle commenced with a number which belonged to the year 33, to commemorate the year of the crucifixion, and thus to produce a date which should represent the first Easter day. Other cycle-makers followed the same plan, and although the order of the numbers was changed by some of the cycle-makers to suit the year in which their particular cycles were introduced, yet the date produced by the Golden number, with reference to the new moon and the date of the passover, is always the 5th of April, when the date assigned to the *first* Easter day is according to the *old style*. We are thus able to prove that the number chosen by Theophilus of Alexandria, A.D. 380, belonged to 33 A.D. of the Roman reckoning of the Augustan era, and corresponded to 36 *Anno Christi*. Not only can we do this by observing the order of the Golden numbers, but by the Dominical letter D, which can be clearly traced back year by year from any modern date of the *old style* to the year thirty-three (after 1 A.D.), by observing the continuity of the cycle of 532 years, as the Dominical letters recur in due order after every twenty-eight years according to the *old style* of determining the Sunday letter, while the Golden numbers recur after nineteen years.

We have adopted the words *Anno Christi* to indicate the years of our Lord according to the reckoning of the early Christians in the

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first century; the words *Anno Domini* being the designation of the years of our Lord used by Dionysius Exiguus, upon the introduction of his Paschal cycle, A.D. 533, when he adjusted the numbers in the calendar in a new order, so that Easter day in the year 533 might fall to the 27th of March, and Good Friday to the 25th of March. The Paschal cycle, or cycle of Easter days, was formed by twenty-eight, the number of years of the solar cycle, and of the cycle of Dominical letters (the days of the week recurring only after that number of years in proper order with the double letters, in consequence of their disturbance by the occurrence of leap years, which required two letters), and nineteen, the number of years of the lunar cycle required to determine the date of the new moon. Thus, as  $28 \times 19 = 532$  years, that number of Easter days was produced; after which the same dates would recur until another cycle of 532 years had been completed. We thus find Dominical letter B and Golden number II. of the Dionysian cycles belonging to 1 A.D. as well as to 533 A.D.; and by following out this calculation, we shall find that to 33 *Anno Christi* = 30 *Anno Domini* of the Roman reckoning, Dominical letter A, and Golden number XII. of the Dionysian cycle of nineteen years belong, and that the date produced for Easter day, viz., the 9th of April, suits the words of the Gospels.

St. Matthew.	St. Mark.	St. Luke.	St. John.	
Ch. xxvi. ver. 2. Ye know that after two days is the feast of the passover, and the Son of man is betrayed to be crucified.	Ch. xiv. ver. 1. After two days was the feast of the passover and of unleavened bread.	Ch. xxii. ver. 1. Now the feast of un- leavened bread drew nigh, which is called the passover.	Ch. xiii. Now before the feast of the passover. . . .	The prepara- tion and the feast, falling to the 4th and 5th April, post- poned to the 6th and 7th, because of the 5th falling on Wednesday. 6th of April, Thursday.
Ch. xxvi. ver. 17. Now the first day of the feast of un- leavened bread. . . .	Ch. xiv. ver. 12. And the first day of un- leavened bread, when they killed the pass- over. . .	Ch. xxii. ver. 7. Then came the day of un- leavened bread, when the pass- over must be killed.	Ch. xiii. ver. 2. And supper be- ing ended, the devil having now put into the heart of Judas Iscariot, Simon's son, to betray Him.	
Ch. xxvi. ver. 20. Now when the even was come, He sat down with the twelve.	Ch. xiv. ver. 17. And in the evening He cometh with the twelve.	Ch. xxii. ver. 14. And when the hour was come, He sat down, and the twelve with Him.		

St. Matthew.	St. Mark.	St. Luke.	St. John.	
Ch. xxvii. ver. 1. When the morning was come. . .	Ch. xv. ver. 1. And straight- way in the morning the chief priests held a consulta- tion. . .	Ch. xxii. ver. 66. And as soon as it was day. . .	Ch. xix. ver. 17. And He bearing His cross went forth into a place called the place of a scull, which is called in the Hebrew Gol- gotha.	7th of April, Friday.
Ch. xxvii. 35. And they crucified Him. . . .	Ch. xv. ver. 25. And they crucified Him. . . .	Ch. xxiii. ver. 33. And when they were come to the place which is called Calvary, there they crucified Him. . .	Ch. xix. ver. 18. Where they crucified Him. . . .	
	Ch. xv. ver. 42. And now when the even was come, be- cause it was the preparation, that is, the day before the sab- bath. . .	Ch. xxiii. ver. 54. And that day was the preparation, and the sab- bath drew on. . . .	Ch. xix. ver. 31. The Jews therefore, be- cause it was the preparation, that the bodies should not re- main upon the cross on the Sabbath day (for that was an high day)[being the Passover day].	
Ch. xxvii. ver. 62. Now the next day that followed the day of the preparation. . .	[The Sabbath.]	Ch. xxiii. ver. 56. And [the women] rested the sabbath day, according to the com- mandment.	[The Sabbath.]	8th of April, Saturday.
Ch. xxviii. ver. 1. In the end of the sab- bath, as it began to dawn to- wards the first day of the week. . . .	Ch. xvi. ver. 1. And when the sabbath was past. . .  Ch. xvi. ver. 2. And very early in the morning, the first day of the week. . .	Ch. xxiv. ver. 1. Now upon the first day of the week, very early in the morning. . .	Ch. xx. ver. 1. The first day of the week cometh Mary Magdalene early. . .	9th of April, Sunday.

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NOTE.—The date of the new moon (1 Nisan) 782 A.U.C. = the 75th year of the Julian era = 33 A.C. = 30 A.D., corresponded to *a.d. xi. Kal. Apr.* in the Roman Calendar, and to the 22nd of March of the Christian dates of the present day; and thus the 14th of Nisan corresponded to the 4th and 5th of April for the date of the passover A.D. 30. But we find that the custom of the Jews was to postpone the celebration of the "preparation" when the *day* of the passover happened to fall on the fourth day of the week (Wednesday); and as the 5th of April (Wednesday) would have been the *day* of the passover A.D. 30, the "preparation" was postponed to the evening of the next day (Thursday), commencing with the 16th of Nisan = the 6th of April. And thus Friday, the 7th of April, was the *day* of the passover for 33 *Anno Christi* = 30 A.D. of the Roman reckoning. It will be interesting to observe the practice of the Jews next year (1871), as the date for the passover happens to be the same as in 30 A.D.

We have stated that the year 1 A.D. of the reckoning of Dionysius Exiguus has attached to it Dominical letter B, and Golden number II. of the Dionysian cycle of nineteen years; it is therefore important to show clearly what point in time 1 A.D. represents. This can be done with the utmost certainty by means of the Dominical letters and Golden numbers of the Paschal cycle; and we find 1 A.D. corresponding to part of two years of Rome, when we reckon the year of the Julian form commencing with January, viz., 753 and 754 A.U.C. We must therefore understand that 1 A.D. of the Roman reckoning having been acknowledged, since the sixth century, to be the commencement of the Christian era, without reference to the earlier date, known as the *annus verus*, it is the fixed point in time to which all earlier eras have been regulated by Christians, by means of the letters B.C.; and thus, as 1 A.D. has Dominical letter B, the preceding year (called 1 B.C.) must have the Dominical letters D C., with Golden number I. of the Dionysian cycle of nineteen years.

The following table of corresponding dates will show clearly the order of the Dominical letters and the Golden numbers:—

## YEARS OF THE CHRISTIAN ERA,

WITH CORRESPONDING DATES.

Julian Period (introduced A.D. 1583).	The Julian form of Year, according to the present System of Reckoning.	Dominical Letters, or Year Letters.		Years of the Julian Era.	Years of Rome (A.U.C.).	CHRISTIAN YEARS		GOLDEN NUMBERS	
						According to the Gospels.	According to the reckon- ing of Dionys- sius (A.D. 532).	Of the Metonic Cycle (432 A.C.).	Of the Dionys- sian Cycle of 19 years.
4710	B.C. 4	G	1 Jan. 27 Jan. 21 April 23 July 2 Sept. 25 Dec.	42	749 750				XVII.
4711	3	F	1 Jan. 16 Jan. 21 April 12 July 2 Sept. 25 Dec.	43	751	A.C. 1			XVIII.
4712	2	E	1 Jan. 5 Jan. 21 April 30 July 2 Sept. 25 Dec.	44	752	2			XIX.
4713	1	DC	1 Jan. 23 Jan. 21 April 19 July 2 Sept. 25 Dec.	45	753	3			XIII.
4714	A.D. 1	B	1 Jan. 12 Jan. 21 April 8 July 2 Sept. 25 Dec.	46	754	4			XIV.
4715	2	A	1 Jan. 21 April 27 July 2 Sept. 25 Dec.	47	755	5	A.D. 1		XV.
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Julian Period (introduced A.D. 1582).	The Julian form of Year, according to the present System of Reckoning.	Dominical Letters, or Year Letters.		Years of the Julian Era.	Years of Rome (A.U.C.)	CHRISTIAN YEARS		GOLDEN NUMBERS	
						According to the Gospels.	According to the reckoning of Dionysius (A.D. 532).	Of the Metonic Cycle (432 A.C.).	Of the Dionysian Cycle of 19 years.
4742	A.D. 29	B	1 Jan. 3 Jan. 2 April* 15 April† 21 April 29 July 25 Dec.	74	781	A.C. 32	A.D. 28	IV.	XI.
					782			V.	
4743	30	A	1 Jan. 22 Jan. 22 March* 4 April† 21 April 18 July 25 Dec.	75		33	29		
					783			VI.	XII.
4744	31	G	1 Jan. 11 Jan. 11 March* 24 March† 21 April 7 July 25 Dec.	76		34	30		
					784			VII.	XIII.
4745	32	F E	1 Jan. 30 Jan. 30 March* 12 April† 21 April 26 July 25 Dec.	77		35	31		
					785			VIII.	XIV.
4746	33	D	1 Jan. 19 Jan. 19 March* 1 April† 21 April 15 July 25 Dec.	78		36	32		
					786			IX.	XV.
						37	33		

NOTE.—This mark \* indicates the new moon, and † the 14th of the new moon.

In the early years of the profession of the Christian faith, the number of Christians being small, they had no special era of their own. We therefore pass on until the reign of Diocletian, when the

Christians being very much persecuted, an era was introduced which obtained the name of the "*Era of Martyrs*," commencing on the Egyptian New Year's day, 1 Thoth = 29 August, A.D. 284. This era was to have been reckoned in cycles of 532 years, but upon the approach of the termination of the first cycle, A.D. 816, the Council of Chelsea, on the 27th of July, ordered all bishops to adopt the system of dating from "*the Incarnation of the Saviour*," the era which had been introduced by Dionysius in the sixth century, (the one which is now universally recognised by Christians.)

### ERA OF MARTYRS.

The Years of this Era have twelve months of thirty days each, with five additional days in a common year, a sixth being added every fourth year, called an *intercalary year*.

Julian Period (introduced A.D. 1583).	The Julian form of Year, according to the present System of Reckoning.	Dominical Letters, or Year Letters.	Years of the Era.		GOLDEN NUMBERS	
					Of the Metonic Cycle (432 A.C.)	Of the Dionysian Cycle of 19 years.
4997	A.D. 284	F E	1 Jan. 5 Jan. 30 July 29 Aug. 31 Dec.	1	XIII.	XIX.
4998	285	D	1 Jan. 23 Jan. 19 July 29 Aug. 31 Dec.	2	XIV.	I.
4999	286	C	1 Jan. 12 Jan. 8 July 29 Aug. 31 Dec.	3	XV.	II.
5000	287	B	1 Jan. 27 July 29 Aug. 31 Dec.	4	XVI.	III.
					[Intercalary year]	
5001	288	A G	1 Jan. 20 Jan. 16 July 29 Aug. 31 Dec.	5	XVII.	IV.



Julian Period (introduced A.D. 1583).	The Julian form of Year, according to the present System of Reckoning.	Dominical Letters, or Year Letters.		Years of the Era.		GOLDEN NUMBERS.	
						Of the Metonic Cycle (432 A.C.).	Of the Dionysian Cycle of 19 years.
5025	A.D. 312	F E	1 Jan. 9 Jan. 21 July			II. III.	V.
5527	815	G	1 Jan. 29 Aug. 31 Dec.	531 532	[Intercalary year]		
5528	816	F E	1 Jan. 27 July				

Of the  
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cycle of  
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## LATIN APHORISMS AND PROVERBS.

BY SIR JOHN BOWRING, LL.D., F.R.S.,

*Fellow of the Historical Society.*

OF Latin aphorisms and proverbs versified by our English poets, Shakespere's dramas exhibit the largest display, and in looking over the list—though far from complete—of the manner in which the greatest of our poets availed himself of the knowledge of the ancients, one cannot but be struck with the fact either that his knowledge of Latin must have been very considerable—though it was said of him that he knew little of Latin and less of Greek,—or that Latin aphorisms and proverbs had penetrated and enriched the vulgar tongue. But what is still more striking is the adorning which the proverb frequently receives from his masterly touches. He does gild the refined gold; he does give a sweeter perfume to the violet. If many of our best known poets have adopted and sometimes vulgarized the sententious outpourings of the sages of old, Shakespere seldom fails to bring them into the higher regions of song, and to ornament the naked natural beauty with wreaths and robes of honour.

How unlike Milton! in whose poetry, though now and then a scriptural quotation may be found, there are scarcely any reflections of the proverbial order.

Yet it need not be remarked that proverbs would never have obtained the hold they possess among all nations, but for that they respond to the feelings of universal man, of which there can be no greater evidence than that nations who never had any intercourse with one another—say the Chinese and the European nations—have aphorisms and proverbs identical in meaning, and often almost identical in phraseology.

I have availed myself of Mr. Henderson's industrious explorations—not so much known as they ought to be—for the greater part of the following citations.

Abeunt studia in mores—How use doth breed a habit in a man!

Ad tristem partem strenua est suspicio—

Suspicion always haunts the guilty mind;  
The thief doth fear each bush an officer.

Ador

Æmu

Ærug

Aliqu

Altiss

Amici

Asper

Audi,

Barba

w

Bonur

Brutu

Adornare verbis benefacta—

Her pretty action did outsell her gift,  
And yet enriched it too. She gave it me, and said  
She prized it once.

Æmulatio æmulationem parit—

For emulation hath a thousand sons,  
That one by one pursue.

Ærugo animi rubigo ingenii—

To have done is to hang  
Quite out of fashion, like a rusty mail,  
In monumental mockery.

Aliquando qui lusit, iterum ludet—

Trust not him that hath once broken faith.

Altissima quæque flumina minimo sono labuntur (*Curt.*)—

Smooth runs the water where the brook is deep.

Amici vitium ni feras, prodis tuum (*Publius Syrus*)—

A friend should bear his friend's infirmities.

Aspera vita sed salubris—

Weariness

Can snore upon the flint, when restive Sloth  
Finds the down pillow hard.

Audi, vide, tace—

Have more than thou showest;  
Speak less than thou knowest.

Barbæ tenus sapientes—The hair that covers the wit is more than the  
wit, for the greater hides the less.

Bonum magis carendo quam fruendo sentitur—

It so falls out

That what we have we prize not to the worth  
Whiles we enjoy it; but being lacked and lost,  
Why, then we reckon the value.

Our rash faults

Make trivial price of serious things we have,  
Not knowing them until we know their grave.

Brutum fulmen—

A tale

Told by an idiot, full of sound and fury,  
Signifying nothing.

Comes jucundus in via pro vehiculo est—

And yet your fair discourse hath been as sugar,  
Making the hard way sweet and delectable.

Conscientia mille testes—

My conscience hath a thousand several tongues,  
And every tongue brings in a several tale,  
And every tale condemns me for a villain.

Consuetudo quovis tyranno potentior—

That monster, endorser, who all sense doth  
Of habit's devil.

Contraria se mutuo commendant—

How far that little candle throws its beams !  
So shines a good deed in a naughty world.  
Her beauty hangs upon the cheek of night,  
Like a rich jewel in an Ethiop's ear.

Corrumpunt bonos mores colloquia prava—

'Tis meet

That noble minds keep ever with their likes,  
For who so firm that cannot be seduced ?

Cura fugit multo diluiturque mero—

Come, come, good wine is a good familiar creature,  
If it be well used.

Curæ leves loquuntur, ingentes stupent—

Fire that's closest kept burns most of all.  
Give sorrow words ; the grief that does not speak  
Whispers the o'erfraught heart, and bids it break.

Dæmona dæmone pellit—

One fire burns out another's burning ;  
One pain is lessened by another's anguish.  
Take thou some new infection to thy eye,  
And the rank poison of the old will die.

Dat sine mente sonum—      It is a tale

Told by an idiot, full of sound and fury,  
Signifying nothing.

De re amissâ irreparabili ne doleas—

What's gone and what's past help  
Should be past grief.

Delib

Deoru

Discut

Et sol

Dolor

Dolus

Dum

(

Durati

Duro

Ebur

Est in

Et car

Exitus

Extren

Deliberando sæpe perit occasio—

Defer no time ; delays have dangerous ends.

Deorum injuriæ Deo curæ—

Leave her to pleasure,  
And to those thorns that in her bosom lodge,  
To prick and sting her.

Discutit en tenebras roseis aurora capillis,  
Et sol astra fugat perfundens omnia luce—

Night's candles are burnt out, and jocund day  
Stands tiptoe on the misty mountain tops.

Dolor hic tibi proderit olim—In poison there is physic.

Dolus an virtus, quis in hoste requirat?—

I'll patch at him some way,  
Or wrath or craft may get him.

Dum deliberamus quando incipiendum, incipere jam serum est  
(*Quintilian*)—

To-morrow, and to-morrow, and to-morrow,  
Creeps on this petty pace from day to day,  
To the last syllable of recorded time ;  
And all our yesterdays have lighted fools  
The way to dusty death.

Durate et vosmet rebus servate secundis (*Virgil*)—

Adversity's sweet milk, philosophy. \*

Duro flagello mens docetur rectius—

They say, best men are moulded out of faults.

Ebur atramento candefacere—

To gild refined gold, to paint the lily,  
To throw a perfume on the violet,  
Were wasteful and ridiculous excess.

Est in nobis assuescere multum—

For we can almost change the stamp of nature.

Et canis in somnis leporis vestigia latrat—

There are a kind of men so loose in soul,  
That in their sleep will mutter their affairs.

Exitus acta probat (*Ovid*)—All is well ended if the suit be won.

Extremis malis extrema remedia—

Diseases, desperate grown,

By desperate appliances are removed,  
Or not at all.

Facile omnes cum valemus recta consilia ægrotis damus (*Terence*)—

Every man can master a grief but he who has it.

He jests at tears that never felt a wound.

Facilis descensus Averni

Sed revocare gradum superasque evadere ad auras

Hoc opus, hic labor est (*Virgil*)—I have a kind of alacrity in sinking.

Fallitur augurio spes bona sæpe suo—

So from that spring whence comfort seemed to come

Discomfort swells.

Festina lente— To climb steep hills

Requires slow pace at first.

We may outrun

By violent swiftness that which we run at,

And tire by over-running.

Festo die si quid prodegeris,

Profesto egere liceat, nisi peperceris (*Plautus*)—

He who keeps nor crust nor crumb,

Weary of all shall want some.

Fidem qui perdit quo se servet in reliquum?—

Who steals my purse steals trash; 'tis something, nothing;

'Twas mine,—'tis his, and has been slave to thousands.

But he that filches from me my good name

Robs me of that which not enriches him,

And makes me poor indeed.

Fortiter malum qui patitur post potitur bonum (*Plautus*)—

The bitter past, more welcome is the sweet.

Fortuna multis dat nimium, nulli satis (*Martial*)—

Will fortune never come with both hands full?

But write her fair words still in fondest letters?

She either gives a stomach and no food,—

Such are the poor in health; or else a feast,

And takes away the stomach,—such are the rich,

That have abundance and enjoy it not.

Fortuna nulli obesse contenta est semel (*Syrus*)—

One woe doth tread upon another's heel,

Fratr

Astut

Front

Habe

Habe

Hi su

Hoc

Hono

Horre

Nullu

Ho

Echin

Wh

I

So fast they follow.

When sorrows come they come not simple spies,  
But in battalions.

Fratrum inter se iræ sunt acerbissimæ—

A little more than kin and less than kind.

Fronte politus

Astutam vapido servas sub pectore vulpem (*Persius*)—

The devil hath power

To assume a pleasing shape.

Oh, what may man within him hide,

Though angel on the outer side !

Fronti nulla fides (*Juvenal*)—

Yet gold all is not that doth golden seem.

Habent insidias hominis blanditiæ mali (*Phædrus*)—

Ah ! that deceit should steal such gentle shapes,

And with a virtuous vizer hate deep vice !

Habet suum venenum blanda oratio (*Syrus*)—

The devil can cite Scripture for his purpose ;

And thus I close my naked villany

With old odd ends stolen out of Holy Writ,

And seem a saint when most I play the devil.

Hi sunt qui trepidant et ad omnia fulgura pallent (*Juvenal*)—

Thus conscience doth make cowards of us all.

Hoc retine verbum franget Deus omne superbum—

My high-blown pride

\* At length broke under me, and now hath left me

Weary and old with service.

Honos alit artes et virtus laudata crescit (*Cicero*)—

Our praises are our wages.

Horrea formicæ tendunt ad inania nunquam

Nullus ad amissas ibit amicus opes (*Ovid*)—

Ah ! when the means are gone that buy this praise,

The breath is gone whereof this praise is made.

Horret capillis, ut marinus, asperis

Echinus aut currens aper (*Horace*)—

What a beard thou hast ! Thou hast more hair on thy chin than

Dobbin, my thill-horse, has on his tail.

I nunc, magnificos, victor molire triumphos—

So get the start of the majestic world,  
And bear the palm alone.

Illa dolet verè quæ sine teste dolet (*Martial*)—

She never told her love,  
But let concealment, like a worm i' th' bud,  
Feed on her damask cheek ; she pined on thought,  
And sat like Patience on a monument,  
Smiling at Grief.

Illa mihi patria est ubi pascor non ubi nascor—

All places that the eye of heaven visits  
Are to a wise man ports and happy havens.

In pace leones, in prælio cervi—

Thou wear a lion's hide ! doff it in shame,  
And hang a calfskin on those recreant limbs.  
Wear yet upon thy chin

The beards of Hercules and warring Mars.

In re malâ, animo si bono utare, adjuvat (*Plautus*)—

How poor are they that have not patience !  
What wound did ever heal but by degrees ?

In vestimentis non stat sapientia mentis—

As the sun breaks through the darkest clouds,  
So honour peereth in the meanest habit.

Incesto addidit integrum—

Some innocents 'scape not the thunderbolt.

Incitamentum enim amoris musica—

If music be the food of love, play on.

Infirmi est animi exiguique voluptas

Ultio (*Juvenal*)—

Think'st thou it honourable for a noble man  
Still to remember wrongs ?

Ingenio stat sine morte decus—

For 'tis the mind that makes the body rich ;  
And as the sun breaks through the darkest cloud,  
So honour peereth in the meanest habit.

Ingratum si dixeris, omnia dices—

I hate ingratitude more in man



Than lying, vainness, babbling, drunkenness,  
Or any taint of vice.

*Injuriae spretæ exolescunt : si irascaris agnitæ videntur—*

Where it concerns himself,  
Who's angry at a slander makes it true.

*Insita hominibus natura violentiæ resistere (Tacitus)—*

If reasons were as plentiful as blackberries  
I would give no man a reason upon compulsion.

*Invicem cedunt dolor et voluptas—*

Oh how this spring of love resembleth  
The uncertain glory of an April day !  
Which now shows all the beauty of the sun,  
And by and by a cloud takes all away.

*Ipsa se fraus, etiamsi initio cautior fuerit detegit—*

For murder, though it have no tongue, will speak  
With most miraculous organ.

*Ira quæ tegitur nocet ;*

*Professa perdunt odia vindictæ locum (Seneca)—*

Fire that's closest kept burns most of all,  
More mild, but yet more harmful—kind in hatred.

*Iratus cum ad se videt sibi tum irascitur—*

Anger is like  
A full-trot horse, who being allowed his way,  
Self-mettle tires him.

*Is cadet ante semen qui sapit ante diem—*

So wise, so young, they say, do never live long.

*Læsus timet—*

The bird that hath been limed on a bush  
With trembling wing misdoubteth every post.

*Latrantem curatus alta Diana canem ?—*

Is the sun dimmed that gnats do fly on it ?

*Levi fit quod bene sectur omnis (Ovid)—*

No profit grows where is no pleasure ta'en.

*Lux affulsit—*

Come what come may,  
Time and the hour runs through the roughest day.

Magis exurunt quos secretae lacerant curæ (*Seneca*)—

Sorrow concealed, like to an oven stopped,  
Doth burn the heart to cinders where it is.

Magistratus indicat virum—

But man, proud man,  
Drest in a little brief authority,  
Plays such fantastic tricks before high heaven,  
As make the angels weep.

Magna est veritas, et prævalebit—

O why, you can tell truth and shame the devil.  
An honest tale speeds best.

Mala senium accelerant—

Stained with grief  
That's beauty's canker.

Malè parta, malè dilabuntur—

Didst thou never hear  
That things ill got had ever bad success?

Malis mala succedunt—

One sorrow never comes but brings an heir  
That may succeed as his inheritor.

Malo nodo malus quærendus cuneus—One heat another heat expels

Malum bene conditum ne moveas—

You rub the sore  
When you should bring the plaster.

Malus, ubi bonum se simulat, tunc est pessimus (*Syrius*)—

With devotion's visage  
And pious action, we do sugar over  
The devil himself.

Maxima debetur puero reverentia (*Juvenal*)—

For 'tis not good that children should know any wickedness.

Maxima illecebra est peccandi impunitatis spes—

Nothing emboldens sin so much as mercy.

Mel in ore, verba lactis,

Fel in corde, fraus in factis—

There is no one so simple but assumes  
Some mark of virtue on his outward parts.

Mens

Mentis

Metus

Minu

Mors

Mulieb

Mulier

Multa

Multis

Mures

Muras

Nam ut

suspici

Mens immota manet ; lachrymæ volvuntur inanes—  
 But neither bended knees, pure hands held up,  
 Sad sighs, deep groans, nor silver-shedding tears,  
 Could penetrate her uncompassionate sire.

Mentis gratissimus error—I found not Cassio's kisses on her lips.

Metus enim mortis musica depellitur—  
 The shrill trump,  
 The spirit-stirring drum, the ear-piercing fife.

Minuunt præsentia famam—  
 Present fears  
 Are less than horrible imaginings.

Mors optima rapit, deterrima relinquit—  
 The good die first,  
 And those whose hearts are dry as summer dust  
 Burn to the socket.

Muliebrem tollite ludum !  
 For gnarling sorrow hath less power to bite  
 The man that mocks at it, and sets it light.  
 Oh let not women's weapons, water-drops,  
 Stain any man's cheeks.

Mulier imperator et mulier miles—  
 A woman's general. What should we fear ?

Multa senem circumveniunt incommoda—  
 Care keeps her watch in every old man's eye.

Multis parasse divitias non finis miseriarum fuit sed mutatio (*Seneca*)—  
 Who would not wish to be from wealth exempt,  
 Since riches point to misery and contempt ?

Mures migraverunt—  
 The very rats  
 Instinctively had quit it.

Muras æreus, conscientia sana—  
 A peace above all earthly dignities—  
 A still and quiet conscience.

Nam ut quisque est vir optimus, ita difficillime esse alios improbos  
 suspicatur (*Cicero*)—  
 Suspicion always haunts the guilty mind.

Nutritur vento, vento restinguitur ignis,

Lenis alit flammam, grandior aura necat (*Ovid*)—

Though little fire grows great with little wind,

Yet extreme gusts will blow out fire and all.

Ne te semper inops agitet vexetque cupido (*Horace*)—

Our content is our best having.

Ne vestigium quidem—Leave not a rack behind.

Nec pietas moram

Rugis et instanti senectæ

Afferet, indomitæque morti (*Horace*)—

Death will have his day.

Necesse est facere sumptum qui quærit lucrum (*Plautus*)—

Out of this nettle danger we pluck the flower safety.

Our doubts are traitors,

And make us lose the good we oft might win,

By fearing to attempt.

Necessitas cogit ad turpia—

What an alteration of honour

Has desperate want made!

Neglectis urenda filix innascitur agris (*Horace*)—

Weeds are shallow-rooted;

Suffer them now, and they'll o'ergrow the garden,

And choke the herbs for want of husbandry.

Nemo mortalium omnibus horis sapit (*Pliny*)—

But we are all men,

In our own nature's trail.

Neque dignus est venia qui nemini dat veniam (*Seneca*)—

We do pray for mercy,

And that same prayer doth teach us all to render

The deeds of mercy.

Nesciat manus dextra quid faciat sinistra—

Give thy thoughts no tongue.

Neve hæc nostris spectentur ab annis (*Virgil*)—

Young in limbs, in judgment old.

Nihil cunctandum—Dull not device by coldness and delay.

Nihil difficile amanti (*Cicero*)—

And what love can do, that does love attempt.

Nihil  
citi

Nihil  
(

Nihil t

Nil di  
(

Nil sin

Ni  
Nitidæ

Nomen

Non de

Nihil est tam volucre quam maledictum, nihil facilius emittitur, nihil citius excipitur, nihil latius dissipatur (*Cicero*)—

What king so strong

Can tie the gall up in a slanderer's tongue?

Nihil eum commendat præter simulatam virritamque tristitiam (*Cicero*)—

'Tis too much proved that with devotion's visage,

And pious action, we do sugar o'er

The devil himself.

When devils will the blackest sins put on,

They do suggest at first with heavenly show.

Nihil tam firmum est quod non expugnari pecunia possit (*Cicero*)—

'Tis gold

Which makes the true man killed, and saves the thief,

Nay, sometimes hangs both thief and true man. What

Can it not do and undo?

Nil dictu foedum visuque hæc limina tangat intra quæ puer est (*Juvenal*)—

And in the morn and liquid dew of youth

Contagious blastments are most imminent.

Nil sine labore (*Horace*)—

Oh, how full of briars is this work-day world!

Nitidè non delicatè

Nitidæ vestes ornationem reddunt—

So may the outward shows be least themselves:

The world is still deceived by ornament.

Nomen bonum instar unguenti fragrantis—

Oh, I have lost my reputation! I have lost

The immortal part, sir, of myself;

And what remains is bestial.

He that filches from me my good name

Robs me of that which not enriches him,

And makes me poor indeed.

Non decet defunctum ignavo questu prosequi (*Tacitus*)—

To persevere

In obstinate condolence is a course

Of impious stubbornness: 'tis unmanly grief!

Non est bonum quod non sit malum; nec malum quod non sit bonum—  
There is some soul of goodness in things evil.

Non est remedium sycophantæ morsum—  
No might nor greatness in mortality  
Can censures 'scape; back-wounding calumny  
The whitest virtue strikes.  
Be thou as chaste as ice or pure as snow,  
Thou shalt not escape calumny.

Non habere, sed non indigere vera abundantia—  
Poor and content is rich and rich enough.

Non omnia eveniunt quæ in animo statueris—  
Oft expectation fails, and most oft then  
When most it promises.

Non purgat peccata qui negat—  
And oftentimes excusing of a fault  
Doth make the fault the worse for the excuse.

Non, si male, nunc, et olim  
Sic erit—  
Things at the worst will cease, or e'en slant upward  
To what they were before.

Novos parans amicos, veteres cole—  
The friends thou hast, and their adoption tried,  
Grapple them to thy soul with hooks of steel.

Nugæ seria ducunt—  
Win us with honest trifles, to betray us  
In deepest consequence.

Nulla certior custodia innocentia—  
Thrice is he armed who hath his quarrel just.

Nulla est sincera voluptas (*Ovid*)—  
The web of life is of mingled yarn, good and ill together.

Nulla fere causa est in quâ non fœmina litem moverit—  
For there's no motion  
That tends to vice in man, but I affirm  
It is the womanish art.

Nullum sine auctoramento malum est (*Seneca*)—

Some falls the means are happier to rise.

Nunc non e tumulo fortunataque favella

Nascentur violæ (*Persius*)—

Lay her on the earth,  
And from her fair and unpolluted flesh  
Shall violets spring.

Nunquam te fallant animi sub vulpe latentes (*Horace*)—

One may smile and smile and be a villain.

O præclarum custodem ovium lupum ! (*Cicero*)—

And was 't not madness then  
To make the fox surveyor of the fold ?

Obedientia felicitatis mater—I will be correspondent to command.

Obsequium amicos, veritas odium parit (*Terence*)—

Truth is a dog that must to kennel. He must be whipped when,  
Lady, the oracle may stand by the fire and stink.

O that men's ears should be  
To counsel deaf, but not to flattery !

Occasio facit furem—

How oft the sight of means to do ill deeds  
Makes ill deeds done !

Occultum quatiante animo tortore flagellum (*Juvenal*)—

The gods are just, and of our pleasant vices  
Make whips to scourge us.

Oculis magis habenda fides quam auribus—

Let every eye negotiate for itself,  
And trust no agent.

Odi profanum vulgus et arceo (*Horace*)—

If the tag-rag people did not clap him and hiss him according as  
he pleased and displeased them, I am no true man.

Odimus quem læsimus—The more my wrong, the more his spot appears.

Omne solum forti patria (*Ovid*)—

All places that the eye of heaven visits  
Are to the wise man ports and happy havens.

Ornat spina rosas mella tegunt apes—

Hath not thy rose a canker, Somerset ?  
Hath not thy rose a thorn, Plantagenet ?

Parentes reverere—

How sharper than a serpent's tooth it is  
To have a thankless child !

Paulatim non impetu—

Those that with haste would make a mighty fire  
Began it with weak straws.

Paulum sepultæ distat inertiae

Celata virtus (*Horace*)—

Fair ladies masked are roses in their bud.

Pecuniosus damnari non potest—

Through tattered robes small vices do appear,  
Robes and furred gowns hide all.

Pelle sub agnâ latitat mens sæpe lupina—

I like not fair terms and a villain's mind.

Per angusta ad augusta—

The fire in the flint  
Shows not till it be struck.

Perjuria videt amantum

Jupiter—

At lovers' perjuries  
They say Jove laughs.

Pluris est oculatus testis unus quam auriti decem—

Give me the ocular proof.

Populat mi sibilat at mihi plaudo—

Ipse donec nummos contemplor in arcâ (*Horace*)—

They laugh that win.

Procellæ quanto plus habent virium tanto minus temporis (*Seneca*)—

Small showers last long, but sudden storms are short.

Pulchrum est vitam donare minori (*Statius*)—

Sweet mercy is nobility's true badge.

Quæ dederam supra, repeto, funemque reduco (*Fuvenal*)—

I would have thee gone,

And yet no further than a wanton's bird,  
Who lets it hop a little from her hand,  
Like a poor prisoner on his twisted gyves,  
And with a silk thread pulls it back again.



Quam multa injusta ac prava fiunt moribus (*Terence*)—

That monster custom, who all sense doth eat,  
Of habits devil.

Quando ullum inveniet parem (*Horace*)—

We ne'er shall look upon his like again.

Quanta patimur—Sufferance is the badge of all our tribe.

Quanti casus humana volant—

Thus the whirligig of time  
Brings in his revenges.

Quem poenitet pecasse poenè est innocens—

By penitence th' Eternal's wrath's appeased.

Qui malè agit odet lucem—

Few love to hear the sins they love to act.

Qui nescit dissimulare nescit vivere—

Craft against vice I must apply.

Qui nihil litigat coelebs est—Wisely I say I am a bachelor.

Qui nimis prospere minus prospere—

Too swift arrives as tardy as too slow.

Qui parcet virgam odit filium—

I must be cruel only to be kind.

Qui se ipsum laudat cito derisionem inveniet (*Syrus*)—

Conceit in weakest bodies strongest works.

Qui sibi mali conscii alios suspicantur—

Whose nature is so far from doing harms

That he suspects none.

Whose own hard dealing teaches them, suspect

The thoughts of others.

Quid de quoque viro, et cui dicas caveto (*Horace*)—

Give every man thine ear, but few thy voice.

Quo quisquis est major magis est placabilis ira (*Ovid*)—

The noble mind has no resentments.

Quo teneam vultus mutantem Protea nodo? (*Horace*)—

Breaking his oath and resolution like

A twist of rotten silk.

Quod cibus est aliis, aliis est acre venenum—

Ill blows the wind that profits nobody.

Quod contemnitur sæpe utilissimum est—

Nought so vile that on the earth doth live,  
But to the earth some special good may give.

Quod datur ex facili longum malè nutrit amorem—

But this swift business  
I must uneasy make, lest too light winning  
Make the prize light.

Quod defertur, non auferitur—Omittance is nò quittance.

Quod est violentum non est durable—

For violent fires soon burn out themselves.

Quod quisque sperat, facile credat—

Thy wish was father, Harry, to that thought.

Quorsum opus amicis si modo faveat Deus—

He that hath the grace of God hath wealth enough.

Quos vult, sors ditat et quos vult sub pede tritat—

Reputation is an idle and most false imposition, oft got without  
merit and lost without deserving.

Quam licet fugere ne quære litem—

Beware

Of entrance to a quarrel.

Rara est adeo concordia formæ

Atque pudicitiae (*Juvenal*)—

If half thy outward graces had been placed  
About the thoughts and counsels of thy heart.

Ride si sapis (*Martial*)—

Let me play the fool,  
With mirth and laughter let old wrinkles come.

Rota plaustrum male unita stridit—

The sweat of industry would dry and die  
But for the end it works to.

Sæpe in magistrum scelera redierunt sua (*Seneca*)—

We but teach  
Bloody instructions, which, being taught, return  
To plague the inventor.

Sæpe tacens vocem verbaque vultus habet (*Ovid*)—  
 Her every sentence and her patience  
 Speak to the people, and they pity her.

Scelere velandum est scelus (*Seneca*)—  
 Things bad begun make strong themselves by ill.

Semel in omni vitâ cuique arridet fortuna—  
 Men at some times are masters of their fates.  
 There is a tide in the affairs of men  
 Which, taken at the flood, leads on to fortune.  
 Omitted, all the voyage of their life  
 Is bound in shallows and in miseries.

Sero dat qui roganti dat—  
 Love sought is good, but given unsought is better.

Si albus capillus hic videtur nequitiam ingenio est senex—  
 The silver livery of advised age.

Si curam curas, pariet tibi cur ea curas—  
 Uneasy lies the head that wears a crown.

Si quâ sede sedes, et sit tibi commoda sedes  
 Illâ sede sede, nec ab illa sede recede—  
 Striving to better, oft we mar what's well.

Se quid juves, pluma levior gratia ; si quid offendas, plumbeas iras  
 gerunt (*Plautus*)—  
 Men's evil manners live in brass ; their virtues  
 We write in water.

Sibi parat malum qui alteri parat—  
 Heat not a furnace for your foe so hot  
 That it doth singe yourself.

Simulatio amoris pejor odio est—  
 God keep me from false friends !

Similes aliorum respice casus

Melius ista feres (*Ovid*)—  
 When we our betters see bearing our woes,  
 We scarcely think our miseries our foes.

Soli lumen inferre—  
 With taper light  
 We seek the beauteous eye of heaven to garnish.

Sonus excitat omnis—

Whence is that knocking?

How is't with me when every noise appals me?

Spes sola hominem in miseriis solatur—

The miserable have no other medicine,

But only hope.

Suo sibi hunc gladio—

I thank thee, Jew, for teaching me that word.

Tacita bona est mulier quam loquens—

Her voice was ever soft,

Gentle, and low, an excellent thing in woman.

Tanquam conchylum discernere—

Why, then, the world's mine oyster,

Which I with sword will open.

Tanti quantum habeas sis (*Horace*)—

Oh, what a world of vile, ill-favoured faults,

Looks handsome on three hundred pounds a year!

Tempus erit, quo vos speculum vidisse pigebit (*Ovid*)—

The roses on thy lips and cheeks shall fade

To paly ashes.

Tempus omnia revelat—

Time shall unfold what plaited cunning hides.

Terram cœlo miscere—

Confusion's cure lives not

In these confusions.

Timeat maledicere pauper (*Ovid*)—

That in the captain's but a cholerick word

Which in the soldier is flat blasphemy.

Timor mortis morte peior—

The sense of death is most in apprehension;

Cowards die many times before their death;

The valiant never taste of death but once.

Tolle moras; semper nocuit differre (*Lucan*)—

Come, we burn daylight; ho!

Nay, that's not so.

I mean, sir, we delay.

Toller

Totus

Tribu

Tu ne

Tu qu

Grata

Tueri

Tunc

Turba

Turbi

Tute

Ubi l

Ubic

Ungu

Tollere cristas (*Fuvenal*)—I saw young Harry with his visor up.

Totus mundus agit histrionem—All the world's a stage.

Tribulatio ditat—

Sweet are the uses of adversity,  
Which, like a toad, ugly and venomous,  
Hath yet a precious jewel in his head.

Tu ne cede malis sed contra audentior ito (*Virgil*)—

Courage mounteth with occasion.

Tu quancunque Deus tibi fortunaverit horam

Grata sume manu : nec dulcia differ in annum (*Horace*)—

Take all the swift advantage of the hours.

Tueri pertinaciter culpam, culpa altera est—

And oftentimes excusing of a fault  
Doth make the fault the worse for the excuse.

Tunc canent cigni quam tacebant graculi—

For night-owls shriek when mounting larks should sing.

Turba sequitur Fortunam ut semper et odit damnatos—

Sweep on, you fat and greasy citizens :  
'Tis just the fashion. Wherefore do you look  
Upon that poor and broken bankrupt there ?

Turbine versatilior—

For she can turn and turn, and yet go on,  
And turn again.

Tute hoc intristi, omni tibi exadendum est—

This even-handed Justice  
Commends the ingredients of our poisoned chalice  
To our own lips.

Ubi lapsus ? quid hic ?—

Alas, sir !

In what have I offended you ? what cause  
Hath my behaviour given to your displeasure ?

Ubicunque ars ostentatio veritas abesse videtur—

An honest tale speeds best being plainly told.

Unguis in ulcere (*Cicero*)—

You rub the sore  
When you should bring the plaster.

Uni navi ne committas omnia—

My ventures are not in one bottom twisted.

Unius dementia dementes efficit multos—

Customs,

Though they be never so ridiculous,

Nay, let them be unmanly, still are followed.

Unus lanius non timet multas oves—

When like an eagle in a dovecot I

Fluttered, your Voeces in Corioli.

Urit enim fulgore suo (*Horace*)—

Why, man, he doth bestride the narrow world

Like a Colossus, and we petty men

Walk under his huge legs, and peep about

To find ourselves dishonourable graves.

Urit maturè urtica—

What! can so young a thorn begin to prick?

Urticæ proxima sæpe rosa est (*Ovid*)—

Now out of this nettle Danger I will pluck the flower Safety.

Ut vidi, ut perii (*Virgil*)—

It is engendered in the eyes,

By gazing fed; and fancy dies

In the cradle where it lies.

Utendum est ætate; cito pede labitur ætas—

And we must take the current when it serves,

Or lose our venture.

Utinam domi sim!

Now I would give a thousand furlongs of sea for an acre of barren ground, long heath, brown furze,—anything!

Varium et mutabile semper

Fœmina (*Virgil*)—

A woman sometimes scorns what best contents her.

Velle suum cuique est nec voto vivitur uno (*Persius*)—

We must every one be a man of his own fancy.

Venia necessitati datur (*Cicero*)—

My poverty, but not my will, consents.

Veritas premitur, non opprimitur—In the end truth will out.

Veritas

Vexat

Victor

Vilis

Vinci

Vindi

Virtus

Virtut

Sublat

Visus

Vive

Veritatis simplex oratio est (*Seneca*)—

The silence often of pure innocence  
Persuades when speaking fails.

Vexare oculos humore co-acto (*Juvenal*)—

Trust not those cunning waters of his eyes,  
For villany is not without such rheum.

Victrix fortunæ sapientia (*Juvenal*)—

Men at some times are masters of their fates.

Vilis sæpe cadus nobile nectar habet—

So honour peereth in the meanest habit.

Vincit qui patitur—

To take up arms against a sea of troubles,  
And, by opposing, end them.

Vindicta bonum vita jucundius ipsa (*Juvenal*) —

Oh! a kiss,

Long as my exile, sweet as my revenge.

Virtus in actione consistit—Talkers are no doers.

Virtutem incolumenis odimus

Sublatum ex oculis quærimus invidi (*Horace*)—

What our contempts do often part from us,  
We wish it ours again.

Visus fidelior auditu—

Let every eye negotiate for itself,  
And trust no agents.

Vive viventis amans—

Are not these woods  
More free from peril than the envious court?

## MEMOIR AND POEMS OF SIR ROBERT AYTOUN,

*Secretary to the Queens of James VI. and Charles I.*

BY THE REV. CHARLES ROGERS, LL.D., F.S.A., Scot.,

*Historiographer to the Historical Society.*

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### PRELIMINARY OBSERVATIONS.

IN the seventh volume of his "History of Scotland," pp. 365-6, Dr. John Hill Burton, Historiographer Royal, writes thus:—

"In baronial architecture and dwelling-houses there was a great advance between the Reformation and the Restoration. The French style of tall round towers or turrets with conical tops prevailed. In some instances the old square tower was surmounted with turrets and other decorations, and many dwellings were wholly built in the style of Chantilly and other great French châteaux. Of these there are a few fine specimens in Winton, Pinkie, Glammis, Fyvie, Castle Fraser, Craigievar, and Crathes. Heriot's Hospital is a curious modification of this style. It was designed by Sir Robert Aytoun, the poet, who evidently appears to have sought to bring the rambling picturesque character of the French style into a rigid symmetry, like that which prevails in the classical styles. It may be said that the little corner turrets did not belong to his original plan. In this the towers were to be carried up into high abruptly shapen pavilion roofs, after the French fashion, as exemplified in the Tuileries. These petty turrets depart essentially from the rule that some useful end should be the object of all building—they are too small to serve as flanking works, or to be in any way of service to the main building."

To these remarks Dr. Burton appends the following note:—

"To Sir Robert Aytoun, who was thus an artist as well as a poet, there is a monument in Westminster Abbey. It is rich in decoration, and yet in simplicity and beauty it stands in favourable contrast to many of its neighbours. It is engraved in Smith's "Oeconographia Scotica."





MONUMENT OF SIR ROBERT AYTOUN  
IN WESTMINSTER ABBEY.

We have  
inherited  
He was  
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Burton

"Sir  
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William  
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pital,

We have a little morsel of incidental evidence that his opinions were not inherited by his descendant, the author of the 'Lays of the Cavaliers.' He was master of an art in high esteem in its day,—that of caligraphy, or decorated penmanship; and he exercised this art in writing out illuminated copies of the Confession of Faith, some of which still exist."

Soon after the appearance of Dr. Burton's seventh volume I respectfully requested the learned author to produce his authority regarding the poet's connection with the hospital. To that request Dr. Burton replied in the *Scotsman* newspaper in these terms:—

"Who built Heriot's Hospital?

"*Craighouse, Lothianburn, Edinburgh,*

"*September 3, 1870.*

"SIR,—I have to trouble you on a very ridiculous matter. A question has been put to me, but I have lost the querist's letter and his address. I write this in the hope that it may catch his eye, and also for the purpose of putting myself for a moment on the stool of repentance—a position that used to be much coveted by our covenanting ancestors as a sort of absolution. The question asked is the authority for my assertion that Sir Robert Aytoun was the architect of Heriot's Hospital. Well, though I admit that I have printed this statement, I confess it is false. The architect of Heriot's Hospital was not Sir Robert Aytoun, but William Aytoun, of Inchdairny. The substitution of one for the other is just one of those delusions which overcome people for a moment about the identity of their best friends, or other things they are most familiar with. It is some twenty-four years ago that poor Joseph Robertson, who never was happy in a discovery till he had given his friends the advantage of it, showed me in a bundle of dreary accounts kept by the Laird of Innes, in Banffshire, an entry of a payment to Mr. William Aytoun, 'Master of Heriot his work.' The payment was 'for drawing the form of the house on paper,'—that is, for preparing the plan of Innes House. Being but a dwelling-house, the artist had too good a taste to make it like a great public building, but it is richly incrustured with ornamental details in the style very exactly of those in Heriot's Hospital. Corroborative evidence was found in abundance, and any one may see the portrait of Aytoun in the hospital, and the engraving of it in Constable's little book about George Heriot. There is a stupid tradition that Inigo Jones was the architect of Heriot's Hospital. This rests on the most perfect example of reasoning in a circle that I ever met. Heriot's Hospital is very like Fredericksborg Castle, in Denmark, which was built by Inigo Jones, therefore, &c. Fredericksborg Castle is very like Heriot's Hospital, and Heriot's Hospital was undoubtedly built by Inigo Jones, there-

fore, &c. For my own part, I would as soon believe that Pope wrote 'The Jolly Beggars,' as that Inigo Jones did a work so thoroughly saturated with Scotch feeling.

"This little affair brings up the recollection of a second departed friend and ornament of our poor broken-up Edinburgh circle. Aytoun was a zealous Covenanter, and employed his art in illuminating copies of the Confession of Faith. When I mentioned this to his descendant, the bard, he put on the look of waggish anger that was so pleasant in him, reproached me for hunting out blots in my friends' pedigrees, and requested me, 'like a good fellow,' to keep the family secret,—and I did so as long as there lived one to whom its revelation would be an annoyance

"I am, &c.,

"J. H. BURTON."

This "very ridiculous matter" is not improved by the explanations offered. William Aytoun or Aiton, master mason in Edinburgh, was not related to the Inchdairnie family. He came from Had-dingtonshire, and may, for aught which to the contrary can be shown, belong to the Berwickshire line of Aytoun, though perhaps by spurious descent. Whatever was the artificer's pedigree, he may not readily be associated with a court poet residing not in Edinburgh, but in London. It is by no means certain that he exercised his caligraphic skill in transcribing and illuminating the Scottish Confession of Faith. An elegantly transcribed copy of the "Confession," by William Aytoun, is preserved in the Advocates Library, but as there were two of the name, father and son, it remains to be shown which was the ornamental writer. Neither father nor son was the designer of Heriot's Hospital at Edinburgh. In a paper read to the Scottish Architectural Institute on the 27th November, 1851,\* Mr. David Laing, of Edinburgh, has shown by original documents that the modeller and original builder of the hospital was William Wallace, Master Mason to Charles I. Wallace, who planned the building with all its details, laid the foundation stone in July, 1628. He died in October, 1631, after superintending for three years the execution of his plans. As a burghess of Edinburgh, and architect of the new hospital, his widow received a pension from the city. He was succeeded as master

\* Transactions of Architectural Institute of Scotland. Vol. II. Edinburgh, 1852. 8vo.

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mason of the hospital by William Aiton the younger, who also died before the building was completed.

Innes House, which Aiton designed by borrowing from the plans of his ingenious predecessor, is not, as Dr. Burton alleges, situated in Banffshire, but is one of Lord Fife's seats in the county of Moray. Dr. Burton describes the late Professor William Edmounstone Aytoun as a descendant of the court Poet. The slightest research might have shown him that Sir Robert Aytoun was a bachelor, and besides, that he belonged to the Aytouns of Kinaldie, which three centuries ago diverged from the Inchdairnie branch, of which the late Professor was a cadet.

These comments are not superfluous. When the latest historian of a kingdom falls into a succession of blunders in connection with the career of a national poet, it is well that authentic facts concerning that poet should be collected and made known. I have proceeded to the task of elucidating Sir Robert Aytoun's history not without some preparation. Twenty-seven years ago I edited his English poems from a contemporary MS. in my possession.\* That performance was a juvenile one, but I have ever since its appearance been in quest of additional materials.

The English poems of Sir Robert Aytoun in the present collection have been obtained from two different MSS., which have been carefully collated and compared.† The older of these MSS. is preserved among the "Additional MSS." in the British Museum, (No. 10,308.) To these it was added in February, 1836, having been purchased as "Lot 309" at the sale of Mr. Richard Heber. It is a thin folio of 43 pages; the writing is juvenile and careless, but a more experienced hand has corrected omissions and errors. From the initials appended to the "Address to the Reader," the corrector is shown to be Sir John Aytoun, the poet's nephew, Knight of the Black Rod, and successor to his estate and goods.‡ The MS. is entitled "Some fewe English and Scotts amorous Poems of Sir Robert Ayton, late Secretarye to the most illustrious Anna and Henrietta Mary, Queenes of Greate Brittainne, France, and Ireland. Vita verecunda, Musa jocosa mihi."

\* The Poems of Sir Robert Aytoun. Edited by Chas. Rogers. Edinb., 1844. 8vo.

† I have diligently compared the poems in these MSS. with those which appear in Watson's Collection. See Notes *postea*.

‡ See Sir Robert Aytoun's Will *postea*.

Then follows the Address, which proceeds thus :—

“COURTEOUS READER.

“THE Author of these ensuing Poems did not affect the name of a Poet having neither publisht in print nor kept coppies of anything he writt, either in Lattin or English, which makes this small collection more difficult, and in many things imperfyte and uncorrect, especially in the old Scotts peeces which were don in his younger dayes. The Lattin ones were publisht by a lover of Poesie in the *Delitia Poetarum Scotorum*, in his owne tyme ; and because the style of all vulgar languages changes every age, and what may please in one, doth not in others, I would not, though much importuned, expose them to the press, which he thought not worthy thereof, and did only to please his owne fancy upon emergent occasions, yet kept this small collection by me to let freends in after times know that though he writ carelessly yet wittily and flowingly, without affectation or offence to any.—S. J. A.”

The other MS. is entitled “The Poems of that worthy Gentleman, Sir Robert Aytoune, Knight. Secretary to Anna and Mary, Queens of Great Britain, &c. 1 volumne.” It is contained in a small duodecimo, in which the poems cover seventy-five pages. The handwriting is abundantly distinct, and seems to belong to the middle of the seventeenth century. On an interior board, of which the original covering has fallen off, are the letters I. S., with the date 1678. On the pages fronting both the boards are several Latin mottoes, in the handwriting of the transcriber. Half the volume after the insertion of the poems had remained blank ; these leaves were afterwards filled with domestic receipts and household inventories, bearing the dates 1704, 1705, and 1708. The household entries are in a female hand, and their authorship can be determined. I obtained the MS. at a sale of books in St. Andrews, Fifeshire, in 1842. These books had belonged to Miss Hadow, then lately deceased, daughter of Dr. George Hadow, Professor of Hebrew at St. Andrews, and granddaughter of the Rev. Dr. James Hadow, Principal of St. Mary's College in the same city. Principal Hadow was incumbent of Cupar-Fife from 1692 to 1699, when he was appointed to the Professorship of Divinity at St. Andrews.\* During his pastorate at Cupar he married a near relative of Sibbald of Rankeil-

\* *Fasti Ecclesiae Scoticae*. By Hen. Scott, D.D. Edinburgh, 1869. 4to, vol. i. pp. 462, 464.

lor, and this gentlewoman, Mrs. Margaret Hadow, uninfluenced by the antiquarian feelings of her race, proceeded to fill up the empty pages of Sir Robert Aytoun's MS. volume with her household recipes. In a list of blankets she records that "6 pears [pairs] came fra Rankillor." From thence the dame's household book had likewise come. With these explanations the initials I.S. point to a member of the house of Sibbald. Probably an earlier transcript had belonged to Sir Robert Sibbald, the indefatigable book collector, a younger son of the Rankeillor family. Sir Robert became possessed of a portion of the MSS. of Sir James Balfour of Denmylne, the greatest of all Scottish collectors, who might naturally possess a transcript of Aytoun's poems. Sir James married Anna, daughter of Sir John Ayton, of that ilk, 21st October, 1630; she survived till August, 1644. A volume, containing a portion of Sir Robert Aytoun's Latin poems was formerly in the Advocates Library, among the MSS. of Sir James Balfour there deposited, but it has disappeared. Sir Robert's Latin poems, included in this collection, have been reprinted from the *Delitia Poetarum Scotorum*, a work published in Amsterdam in 1637, by Sir John Scot, of Scotstarvet.

Several letters incorporated in the Poet's memoirs have been transcribed from a portion of the Balfour MSS. in the Advocates Library, entitled "State Business, 1621—1623." The transcriber, my valued and learned friend, Mr. Laing, of Edinburgh, contemplated an edition of Sir Robert Aytoun's English verses, but most generously handed his materials to myself when informed that I had the present edition in preparation. My chief sources of information, besides those already indicated, have been the Public Record Office, London, and the Will Office, Doctors' Commons.

SNOWDOWN VILLA, LEWISHAM, S.E.,

January, 1871.

## M E M O I R.

No sooner had King James VI. crossed the Tweed, on his accession to the English throne, "than the Muses," writes Alexander Campbell,\* "as if fascinated by the splendour of a southern court, fled from Scotland to encircle the throne of the pedantic monarch." The event may not be attributed to the sovereign's adoption of the language of his new kingdom, since his speech was in the broadest dialect of his native tongue; and his writings display the Scottish phraseology of the period. The sudden change in the language of metrical composition is easily explained. England having become the seat of the court, the literati of Scotland elected to write in a language in which they might be understood by their courtly contemporaries. "The vulgar languages of Scotland and England," observes Dr. Irving,† "probably remained at an ample distance from each other till about the time of the union of the two crowns." In his *History of Scotland* Dr. Robertson expresses his opinion that "at the end of the sixteenth century the languages of both kingdoms were in a state nearly similar, differing from one another somewhat in orthography, though not only the words, but the idioms were much the same."

Half a century before the English accession, the intercourse between Scotland and England was remarkably circumscribed. According to Dr. Robertson there were only fifty-eight Scotsmen in London and Westminster in 1567, when Queen Elizabeth commanded the Bishop of London to ascertain the number of strangers in these cities. Not long before that date flourished Sir David Lindsay, the greatest and last of Scottish poets who composed in the native vernacular. Two stanzas from his "*Dreme*" will sufficiently indicate his language and manner.

"So with my hude, my heid I happit warme,  
And in my cloke, I fauldit baith my feit;  
I thoct my corps with cauld, suld tak na harme,  
My mittanis held my handis weill in heit;

\* "An Introduction to the History of Poetry in Scotland," Edinburgh, 1798. 4to.

† "Lives of the Scottish Poets," by David Irving, LL.D. 2 vols., 8vo., Edinburgh, 1804.



The skowland craig, me coverit from the sleit ;  
 Thare, still I sat, my banes for to rest,  
 Till Morpheus, with sleip, my spreit opprest :

Thare was the cursit empriour Nero,  
 Of everilk vice, the horribill veschell ;  
 Thare was Pharao, with divers princes mo',  
 Oppressouris of the bairnis of Israell ;  
 Herode, and many mo' than I can tell,  
 Ponce Pylate was thare, hangit be the hals,  
 With unjust jugis, for their sentence fals."

At this standard, with only a shade of advance, remained the language of Scottish poetical writers till the happy event of James's accession to the English throne in 1603. Some time previously Sir Robert Aytoun published his *Diaphantus*\* in English verse, thereby attaining the distinction of being the first of his countrymen to adapt to the northern muse the language of the south. The honour has been claimed for two others, Sir William Alexander and William Drummond. But a reference to dates settles the question. Sir William Alexander produced his "Aurora" in 1604, while Drummond did not compose his "Tears on the Death of Moeliades" till 1613.

Of the personal history of Sir Robert Aytoun not much has been related hitherto. Though occupying a prominent position at court, and not indisposed to procure emoluments and honours, he refrained from seeking distinction as a poet. He was connected with an old family of landowners. The Aytoun family spring from the Norman house of De Vescy, lords of the great barony of Sprouston in Northumberland, of whom Sir William Dugdale in his "Baronage" supplies a lengthened pedigree. The De Vescies were of great antiquity, but the name is extinct. One of the barons who wrested Magna Charta from King John belonged to this house; his name is appended to the instrument. Gilbert de Vescy, a younger son of the family, proceeded to Scotland in the reign of King Robert the Bruce, and received from that monarch the lands of Aytoun in Berwickshire. As was the custom of the period, he changed his

\* Aytoun alludes to his poem of *Diaphantus* in his Latin panegyric addressed to King James in 1603. It was published in a separate form, and sold for sixpence. Drummond of Hawthornden, in a catalogue of his English Books in 1611, mentions "Diaphantus." No copy of the original edition is now known to exist.

name to that of his estate. In Berwickshire the Aytouns continued as landowners until the reign of James III., when a brother of the house of Home married the heiress and carried the lands into that family. The uncle of the heiress, her father's younger brother, Andrew Aytoun, was Captain of Stirling Castle and Sheriff of Elgin and Forres during the reign of James IV. For faithful services the king gave him several charters confirming him in the lands of Nether Dunmure, Kilgour, and Glenduckie, in western Fifeshire. By a new charter from the Crown, these lands were constituted into a barony called Aytoun, the proprietor being designated of that ilk.\*

To Captain Aytoun of Stirling Castle were born three sons and seven daughters. John, the eldest son, succeeded his father in the estate of Aytoun. Robert, the second son, obtained the estate of Inchdairnie, and Andrew, the third son, succeeded a relative in the estate of Kinaldie.

The estate of Kinaldie came into the possession of the Aytoun family about 1539, when the charters of the property bear the name of a John Aytoun, who is conjectured to have been a younger brother of the Captain of Stirling Castle. He was in 1547 succeeded by his son Robert, who, being childless, would seem to have bequeathed his estate to his uncle's youngest son. Margaret Stewart, widow of Robert Aytoun of Kinaldie, married John Winram, the celebrated sub-prior of St. Andrews. After her death in March, 1573, a dispute arose between Andrew Aytoun of Kinaldie, with his two sons, John and Robert, and the sub-prior, for succession to several gold trinkets, which the Aytouns alleged that Mrs. Winram had alienated illegally from their family. There was likewise a controversy between the parties respecting some rents of her estate, the Manse or Manor of Kirkness in Kinross-shire.†

Andrew Aytoun, third son of Captain Andrew Aytoun, obtained the estate of Kinaldie about the year 1567. He entered as a student the University of St. Andrews in 1539.‡ Having espoused Mary Lundie, he became father of three sons and two daughters. The daughters, Margaret and Agnes, both married and had children. Of

\* A well-known expression in Scotland, though unfamiliar to English readers. "Of that ilk" signifies that the landowner so designated possessed an estate of the same name as his patronymic.

† Act Buik Commissariat of St. Andrews, vol. i., p. 130.

‡ Matriculation Register of St. Andrews University.

the three sons, John, the eldest, succeeded to the estate of Kinaldie on the death of his father in 1590, and Andrew, the third son, settled in Ireland. The second son, Robert, forms the subject of these memoirs.

Robert Aytoun was born in the castle of Kinaldie,\* in the parish of Cameron, near St. Andrews, Fifeshire, in 1570, a date at which we arrive from the inscription on his tombstone. He was incorporated a student of St. Leonard's College, St. Andrews, along with his eldest brother, John, in 1584; four years afterwards he received in the same college his Master's degree. Obtaining his patrimony on the death of his father in 1590, he engaged in continental travel, and studied civil law at the University of Paris. According to Thomas Dempster, "he long cherished useful learning in France, and left there distinguished proof and reputation of his worth."† During his residence abroad, Dempster relates that he composed verses in Latin, Greek, and French. Of these, his Latin verses only have been preserved. He returned from the Continent in 1603, when he addressed a Latin poem to James VI. on his succession to the English throne. The poem abounds in classical phraseology, and is abundantly panegyrical. It secured the poet's fortune. Aytoun was invited to court, which he never afterwards left.‡

His first office was subordinate, and the reverse of lucrative. He succeeded Mr. Laurence Marbury as one of the Grooms of his Majesty's Privy Chamber, with the yearly salary of twenty pounds (Warrant-Book of the Exchequer). According to the same authentic chronicle, a warrant was on the sixteenth day of May, 1608, delivered to the Master of the Great Wardrobe, authorizing him to deliver to "Robert Aton, such parcels of stuffs for his yearly livery as Laurence Marbury lately held." On the ladder of court favour the poet had gained only the first step, but with his elegant manners and acceptable verses he was sure to rise.

The "Apology for the Oath of Allegiance," at first published

\* The foundations of the castle were removed so lately as 1838.

† Dempster's "*Historia Ecclesiastica Gentis Scotorum*."

‡ Aytoun's panegyrical poem appeared at Paris in ten quarto leaves, with a prose dedication to King James. It bears the following title :—"De Foelici, et semper Augusto, Jacobi VI. Scotiæ, Insularumque adiacentium Regis Imperio, nunc recens florentissimis Angliæ et Hiberniæ Scepтрis amplificato, Roberti Aytoni, Scoti Panegyris. Parisiis Clodov. III." The poem was reprinted in the *Delitiae Pictarum Scotorum*, from which it has been transferred to these pages.

anonymously, was in 1609 acknowledged by the King, who now issued an edition with a dedication "to Rudolph II., Emperor of Germany, Hungary, &c., and to all other right high and mighty Princes and States of Christendome." That his dedication might be properly acknowledged and his work obtain due celebrity, James despatched two ambassadors, Aytoun and another, to place his volume in the hands of those to whom it was inscribed. The Exchequer Warrant-Book contains the following entry :—

"James by the grace of God, King of England, Scotland, Fraunce, and Ireland, defender of the faith, &c. To the Treasurer and Under Treasurer of our Exchequer greeting. Whereas we do send unto divers forren Princes with our letters Clark Barkeley, our servant and Robert Aton, gent, one of the Groomes of our Privy Chamber, We will and command you out of our Treasure in the receipt of our Exchequer to devise and pay or cause to be devised and paid to the said Barkeley and Robert Aton for their charges and expenses in the said journeys the sum of Three hundred pounds to each of them without accompt imprest or other charge to bee set on them for the same or annie part thereof. And these our letters shalbe your sufficient warrant and discharge in this behalf. Given under our Privy Seall at our Pallace of Westminster the two and twentieth daie of May in the seventh year of our raigne of England, Fraunce, and Ireland, and of Scotland the two and fortieth."

Aytoun speedily rose in royal favour. He was knighted at Rycot, Oxfordshire, on the 30th August, 1612.† About the same period he was appointed Gentleman of the Bedchamber to James VI., and entrusted with the important office of Private Secretary to the Queen. On the 11th December, 1619, he received a grant of £500 per annum "out of the profits reserved to his Majesty upon a grant lately made by Henry Bell, Esq., for surveying of land."‡ This grant was to continue for thirty-one years; but in July following the King bestowed on the poet, in substitution, a life pension of the like value, on account of service rendered to himself and the late Queen Anne. The letters-patent conveying this last donative we present *in extensis*.

\* Vol. ii., fol 96.

† To Colonel Joseph L. Chester, whose genealogical researches are nearly unrivalled, we are indebted for this information.

‡ Docquet Book of the Exchequer.

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"JAMES R.

"James by the grace of God, King of England, Scotland, Fraunce, and Ireland, Defender of the Faith, &c. To the Commissioners of the Treasury of us our heirs and successors now being, and that hereafter shalbe. To the Treasurer, Chancellor, under Treasurer, and Barons of the Exchequer of us our heirs and successors and all other the officers and Mynesters of the same court now being and that hereafter shalbe. To the farmer, and farmers, collector, and collectors of all or any of the customs, subsidies and impositions, due, payable, or answerable, or to be due, payable, or answerable to us our heirs and successors for or in respect of or upon seacoles, and to all others to whom that shall or may appertaine, Greeting. Know ye that We for and in consideration of the good, faithful, and acceptable service heretofore done as well unto Us as to our late dear consort by our welbeloved servant Sir Robert Ayton, knight, and for other good reasons and considerations Us hereunto moving of our especiall grace, certain knowledge and mere motion have given and granted, and by these presents for Us our heirs and successors do give and grant unto the said Sir Robert Ayton, knight, one annuitie or yearly pension of Five hundred pounds of lawfull money of England by the year. To have, hould, receive, perceive, and take the said annuitie or yearly pension of Five hundred pounds of lawfull money of England by the yeare to the said Sir Robert Ayton and his assignes from the Feast of the Annunciation of the Blessed virgine Marie last past before the date hereof for and during the natural life of him the said Sir Robert Ayton. To be from tyme to tyme perceived and taken att and by the hands of the Farmer or Farmers of the foresaid customs, subsidies or impositions or anie of them for the tyme being out of the yearly rent, some and somes of money to us our heirs or successors reserved or to be reserved, for or in respect of the same. And if the said customs, subsidies, or impositions be or shalbe out of lease or ferme then the said annuitie to be perceived, received, taken and had att and by the hands of the Collector or Collectors of the said customs, subsidies, or impositions of seacoles out of the said customs, subsidies, and duties themselves and profits thereof which from tyme to tyme shall remain and be in the hands of the said Collector and Collectors for the tyme being at the Feast of St. Michael the Archangel and the Annunciation of the Blessed Virgin Marie by even and equall portions to be payed during the natural life of the said Sir Robert Ayton. The first payment thereof to begynne at the Feast St. Michael the Archangel next ensuing the date hereof. Wherefore our will and pleasure is, and we doe by these presents for Us, our heirs and successors straightway charge and command and give power and authoritie unto the Farmer or Farmers, Collector or Collectors of the said customs, subsidies or impositions of seacoles now being and that

hereafter shalbe—that they or some of them upon sight of these our letters patent or the enrolment thereof doe from tyme to tyme during the life of the said Sir Robert Ayton, pay or cause to be payed and delivered unto him the said Sir Robert Ayton or his assignes the said annuitie or yearly pension of five hundred pounds to him before by these presents mentioned to be given and granted according to the tenor and true intent and meaning of these presents. Any order, direction, command or declaration of our pleasure signified and given by our letters patent under our great seal of England bearing date the fifteenth day of May which was in the sixteenth year of our raigne of England, for restraint of payment or allowance of pensions or annuities, or any other restraint, assignation, declaration, warrant, order, matter or thing whatsoever had or made or hereafter to be had or made to the contrary in any wise notwithstanding. And our will and pleasure is and We doe by these presents for Us our heirs and successors give full power and authoritie unto and doe require and command the Commissioners of the Treasury, Treasurer, Chancellor, under Treasurer and Barons of the Exchequer of Us our heirs and successors for the tyme being that they and every of them upon shewing forth any acquittance or acquittances of the said Sir Robert Ayton his executors, administrators or assignes, testifying the payment of any some or somes of money in receipt or in part or toward the payment of the said annuitie or pension before by these presents mentioned to be granted that they and every of them doe from tyme to tyme give full allowance deduction & defalcation under the said farmer & farmers, collector & collectors, and every of them their assigne or assignes of all such some or somes to be payed unto the said Sir Robert Ayton or his assignes according to the true intent & meaning of these presents and doe all other lawfull act or acts by striking of taillies or otherwise according to the course of the said courte whereby the said farmers & collectors their deputies and assignes for the tyme being may have full discharge for the same, and to make furth strike and deliver furth and for many warrants order, and taitles to the said Sir Robert Ayton and his assignes for the levying, having, or receyving of the said annuities or pension or anie part thereof as any of them shall from tyme to tyme require. And these our letters patent or the enrolment thereof shalbe as well unto the said Commissioners, Treasurers, Chancellor, Under-Treasurer and Barons and all others the officers and Mynisters of the said Court of Exchequer as unto the said Farmers and Collectors and every of them a sufficient warrant & discharge for the paying, performing doing and executing of all and singular the premises according to the true intent and meaning of these presents, the foresaid letters patent dated the said fifteenth day of May or anything therein containyd or any other matter or thing, whatsoever to the contrary notwithstanding. And of our more especial grace

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certain knowledge and mere notion we doe hereby for us our heirs and successors grant unto the said Sir Robert Ayton and his assignes that these o' letters patent, or the enrolment thereof shall be in all things firme available & effectable in the same to be construed most favourably & beneficially for the said Sir Robert Ayton and his assignes without any further or other warrant, from us, our heirs, or successors in that behalf to be had procured or obtyned. Notwithstanding the misnaming or miswriting or not naming or not writing or not mentioning or not truly mentioning of any letters patent, commission or in anywise touching or concerning the premises or anie of the foresaid customs, subsidies, impositions, or any some or somes of money to us now due and payable or to us our heirs and successors hereafter to be due and payable for or in respect of the same, or of any other matter or things conteyned. And notwithstanding any defects in these presents. And although express mention &c. In witness, &c.

"THOMAS COVENTRY."

"So may please your most excellent majestie

"This Bill conteyneth your Majestys grant unto Sr Robert Ayton knight during his life in consideration of his services done to your Majesty and to your late dear consort of an annuite of five hundred pounds, out of the customs & impositions upon seacoales.

"Signified to be your Majesty's pleasure by Mr. Chancellor of the Exchequer.

"THOMAS COVENTRY."

One of Ayton's early friends was Thomas Murray, of the ancient family of the Barons of Tullibardine, Perthshire. Murray was preceptor to Prince Charles, and being a man of scholarly attainments, he won the favour of the king. In 1606 he was collated to the Mastership of Sherburn Hospital, and on the 22nd February, 1621, was promoted by his royal patron to the Provostship of Eton. This latter preferment he was not destined long to enjoy; he died on the 9th of April, 1623. For the Provostship a number of candidates came forward. Among the more conspicuous was Francis Bacon, Viscount St. Albans, lately Lord Chancellor.\* In an unpublished letter of Lord Keeper Williams, addressed to the Marquis of Buckingham, dated 11th April, 1623, the state of the candidateship is† set forth in these terms:—

\* Letters of Lord Bacon, by Robert Stephens. Lond., 1732.

† Quoted by Dr. Birch. See Ackerman's History of Eton, &c. London, 1816. 4to.



"Mr. Murray Provost of Eton is now dead, & the place stayed by the Fellows and myself, until your Lordship's pleasure be known. Whomsoever your Lordship shall name, I shall like if even should it be Sir William Beecher \* though the provostship never descended so low. The king named unto me yesterday morning Sir Albertus Morton, Sir Dudley Carleton,† and Sir Robert Ayton, our late Queen's Secretary; but in my opinion though he named him last, his Majesty inclined to this Ayton most. It will rest wholly with your lordship to name the man. It is somewhat necessary to be a good scholar, but more that he be a good husband & a careful manager, and a stayed man which no man can be that so much indebted as my Lord St. Albans."

Documents connected with the candidaship of Sir Dudley Carleton are preserved in the Record Office.‡ In a letter dated the 9th May, Mr. Dudley Carleton informs his uncle Sir Dudley, then ambassador in Holland, of a conversation which Sir Dudley's wife lately held with "the Lord Treasurer." His lordship having expressed himself willing to be of service,—“This,” writes the nephew, —“gave my Ladie occasion of mentioning Eton to him, which place as every bodie well knowes must be disposed of by my Ld of Buckingham, and he desires to have it remain in suspence till his comming home. My Ld Treasurer sayd so much too; and began to speak of Sir Robert Ayton's offer to resign his pension of £500 per an: so he be Provost. This drew my Ladie to tell him that yr Ld<sup>e</sup> would propose a meanes of causing the King little lesse on the same consideration: namely by retrenching yr extraordinaries, whereto he gave no promise of assistance, onely sayd he was engaged for no man except that once when he heard some speake of Sir Ro: Ayton's offer, he affirmed it was a good course of saving £500.”

On the 17th May Mr. John Chamberlain writes to Sir Dudley as follows:—

“My very goode Lord. My writing is to little purpose now that you have such and so many agents here that will let nothing escape. Yet Sir Robert Eaton's verses may be worth yr reading, wherein he moves the king for Eaton; as likewise Thomas Murray's epitaph, and the complaint of his own fortune; wherein he aymes at the great stire and pursuit after certain bad fellows that all the last year made an occupation of stealing the king's deare out of Tiballs (Theobald's) parke though yt be walled, which has much incensed the king and moved great indignation so that

\* See *postea*.

† Afterwards Lord Carleton and Viscount Dorchester.

‡ English State Papers (vols. 144, 145)

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there have been divers privie searches and other diligence to discover the principall; divers of the meaner sort being already in hold."

Sir Robert Aytoun informed his friends that he sought the Provostship with a view to the welfare of his predecessor's children. A letter from him supposed to be addressed to his friend Sir John Murray, then Viscount Annan, and in the following year created Earl of Annandale, fully enters into the circumstances of his candidateship.\*

"Right Honorable and my very good Lord,

"My last did but threaten your L<sup>p</sup> with ill newes, this strikes a right even downe blow. O<sup>r</sup> freind o<sup>r</sup> honest and deare freind even Mr Murray hath changed this life with a better; Yesterday whiche was the ninth of the moneth, and the twelfth after his being out, about six o'clock in the morning he even slept away, his spirits being so farre spent what by age what by greif and paine of his desease, that they ware not able to contribute any thing towards the cure of his wound. No man could die more happilie, and which is the argument of an honest man in these dayes no man that hath lived in suche a qualitie as he did ever died so poor. All that he hath left amongst his seven children is that two thousand [pounds] whiche is not yet received but is to be payed at Michaelmas by the Custumes. His Wife hath nothing but the two hundred pound of pension whiche he had out of the Exchequer, and the keeping of Barhamstade during his life. The King also had promised him fyve hundred pound land and renewed his promise to him a little before his deathe, doth now go back and say it was but a pension during life whiche he did promise and no land. Every body speakes for her and pities her case but the times ar hard and the Prince is not heer whose intercession must do the turne. His place of Eaton hath now many sutors and great ones suche as My Lord of St Albans, Sr Robert Naunton Sr Dudley Carlton Sr Albertus Morton, but Sr William Becher a Clerk of the Counsell pretends a promise from My Lord Buckinghame, if it had not been for him who had the good luck to anticipat my fate by two or three houres I had carried it without opposition, and yet the King stands well affected to me but the determination is differd till my Lord Buckinghame signifie his pleasure. I am as desirous of it for the good of Mr Murray's children that I have made ane offer to the King to surrender my pension of fyve hundred poundes in exchange of it; I have writen to Spaine to make freinds their. What the succes will be I know not. These that I trusted most to have proved most unprofitable unto me. My Lord of Lenox was engaged to Becher; My Lord Hamilton wold not meddle to crosse My

\* Sir James Balfour's Collections in the Advocates Library. Papers marked "State Business," &c. 1621—1623. No. 96.

Lord of Lenox—all the rest of the Bed chamber are mainlie for me. I have not so muche faith as to believe that I shall prevaile, but I thocht good to do the part of one that loved him that was gone and wold not by his owne negligence betray his owne fortune.

"I wrote to your Lordship in my last that I did see no good to be done in your bussines of Orknay, and I doubt not but before this time you have heard as muche of others. I have made myself an eyesore to the Man to whom your L<sup>p</sup> trusted and I pray to God I may never have any occasion to employ him. I dare say no more, anger for his negligence, and greif for M<sup>r</sup> Murray's death do so confound me that I can write no more. Only I cannot conceal from your L that our bussines in Spaine goes but slowly on, and little hope is thar of the Princes returne this prettie while. Wee heare they are to send back his Chaplaines againe, because they can be of no vse their the Prince being lodged within the Kings Palace. If the Prince will heare a Sermon he must steale out to the Ambassador's whiche as yet he hath not done since he came their. I pray God blisse the Prince. My Lord Carleil is well vsed their and lodged within the Kings Palace too; his bussines heer goes slowly on. I am,

*Your L<sup>p</sup>s most humble  
and affectional  
servant  
D. B.*

"20 of April, 1623."

On the 8th May Aytoun addressed to the same Nobleman the following letter:—

\* "Right Honorable and my very good Lord,

"Before I had received your L<sup>p</sup>s information concerning the Lady Coldonknowes, your very trustie friend Archibald Hay had by your L<sup>p</sup>s directions done already in that mater as much as could be desired and I do not doubt that your L<sup>p</sup> hath received such satisfaction as may henceforth make your L<sup>p</sup> rest secure. Yet if I do heare anything of it, I shall be ready to do what becomes your L<sup>p</sup>s true servant in that behalf. It is true that those that have fairest faces ar most carefull of them that they showld not be tainted w<sup>t</sup> the least spot (becaus in them the least blemish is soonest perceived) but otherwise I think your L<sup>p</sup> needed not to

\* Balfour's Collections. State Business. No. 97.

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have taken it so to heart, for as Seneca said of Cato that whosoever wold reproche him with drunkennes wold sooner perswade the world that ebriete was a vertue than that Cato could be vicious, so I dare boldly say that all those that know your LP have suche ane assurance of your integritie that they will sooner think that unjust dealing may passe for a commendation than that your LP can be justly obnoxious to such an imputation.

"I doubt not but before this, your LP hath received the news of Mr. Murray's death, and that by a lettre of mine written a fortnight ago. I have heer sent you a copie of some lines,\* which may serve to let the world see that I care not to be thought ane bad poet so being that I may make it appeare that I was his true freind. All that his freinds have been able to do for his wife and his children is a grant of a pension of 500 lb out of the Exchequer for her life and her eldest sones. And of all the freinds he had my Lord Brooke and James Maxwell have proved the most reall and most faithfull. The bussines of Eaton is yet vndetermined. I might have some hopes, if the sentence wer not to come from Spaine, yet their I have made freinds and do expect that the Prince will deale for me at My Lord of Buckinghames hand; if those to whome I did chiefly trust to heer had been true freinds indeed their had never been suche difficultie in it but let it go as it will I shall be still what I have been.

"There is ane come from Spaine of late, but for any thing I can heare as little hope of the celebration of the marriage as the first day the Prince came there, in the meane while wee hope even against hope. I pray God our joyes be but answerable to our confidence, then all will go well, and I shall not need to be still begging at my Lord Treasurers dore as now I am. Howsoever I am

"Your LP's most humble and most

"devoted Servant

"8 of May [1623].

"R. AITON."

"My Lord Treasurer hath refused to pas Mrs. Murray's pension till he heare from Spaine."

A third letter from our poet to the Earl of Annandale is preserved among the Balfour MSS.† Though unconnected with the affair of Eton, its introduction may be excused.

"Right Honorable and my very good Lord

"I no sooner received your LP letters but straightway I repaired to my Lord Duke of Richemont, by whom I found after his Grace had redd your LP's letter that he had written to you not long before, and was

\* The verses referred to by the poet, evidently a panegyric on his late friend the Provost of Eton, have not been preserved.

† Balfour's Collections, State Business, No. 98.

confident that he had given your L<sup>p</sup> full satisfaction, yet if it was no other than that whiche he seemed to touche in a word to me (that S<sup>r</sup> Robert Mansell was content to take your glass workes, and pay you as muche for them as any other wold do) I doubt me muche that it will neither be honourable for the countrey nor so beneficiall towards the refounding of your L<sup>p</sup>s charges as otherwyse it might be. From thence I went to Sir Williame Clavii committed to the Marshallseas till he bring back againe those men which he was charged to have seduced from S<sup>r</sup> Robert Mansell's service. I shewed him the copy of yo<sup>r</sup> L<sup>p</sup>s letter to My Lord Duke of Richemont. He seemed to be muche comforted with it, and so muche the more becaus I told him that My Lord Duke had told me that he was committed chiefly for going about to lay some aspersions vpon yow, frome whiche he did maintaine him self to be very cleare, as having said nothing but what it seemed your L<sup>p</sup> did take vpon yow in your owne letter. He did desire the copy of it, but your L<sup>p</sup> having commanded me to do otherwise I did retaine it by me. For anything that I see, if our Scots Counsalors heir do not embrace the cause of their countrie more cheerfully then they do, S<sup>r</sup> Williame is like to ly long by it, and your L<sup>p</sup> have little right done yow. I offerd to do him all the service I could for your L<sup>p</sup>s cause, yet because I may erre in overdoing, not knowing how your L<sup>p</sup> is bound to assist him, I desire to be more particularly instructed by your L<sup>p</sup> before I meddle in a thing that may reflect vpon your L<sup>p</sup> without your owne advise. When I had so performed your L<sup>p</sup> directions to him I went and delivered your L<sup>p</sup>s letter to Kilmeny. And this muche for that. I cannot enough marvell of that report concerning My Lord of Carliel. I did never heer the least muttering or suspicion of any such thing heer, nor was their any cause. True it is that when the Lords of the Reception (as they wer called) did go down to Southampton their did fall out ane unfortunat accident between my Lord Chamberlayn and My Lord of Carliel which begunne at the table with some words of distast, and ane houre after they had risen from tables, ended in mutuall blowes. But in all the cariage of the bussines My Lord of Carliel is much blamed even by his owne freinds, & the reports of it have generally gone to his disadvantage. And as commonly one misfortune does draw one another these reports (as My Lord Carliel did conceeve proceeding chiefly from My Lord Marquis of Hamilton) did beget a dangerous expostulation between them two, the end whereof as yet is no other but a coldnes and a forbearance of speaking one to another, to the great greif of all those that love them bothe. I doubt not but your L<sup>p</sup> heares this from others at more length. Unless it wer to your L<sup>p</sup> I wold not willingly remember it. For the Stiles your L<sup>p</sup> desires to know I know no other than the Duke of Buckinghame and the Duke of Richemond Lenox, as y<sup>r</sup> L<sup>p</sup> will find by his owne subscriptions, may be. Wee have had heir

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of late two messingers from Spaine but no more newes of the matche then the first day. I must end because I am pressed, other idle newes I hope to send yo<sup>r</sup> L<sup>p</sup> with the next occasion

"Yo<sup>r</sup> L<sup>p</sup> most humble and most

"faithful servant,

"*ii of July,*

"RO. AITON.

"London, 1623."

Aytoun failed in his aspirations,—so did Sir William Beecher. The Provostship of Eton was bestowed on Sir Henry Wotton, a scholar and considerable poet, who had been employed as an ambassador. Isaac Walton in his *Life of Wotton* relates that the appointment was obtained "by an honest artifice."

On the death of King James in 1625, Sir Robert Aytoun, who had already ingratiated himself with the heir of the throne, obtained the same offices and honours under his successor. On the 26th December, 1626, we find him writing from Whitehall to Sir Francis Nethersole, who had congratulated him on becoming Private Secretary to Queen Henrietta. He informs his correspondent that the Queen of Bohemia may have confidence that he will embrace every opportunity of commending her to the Queen, his mistress. He adds that in his office of Secretary he is "to have a fellow joined with him, rather he hopes for his good, than for his disgrace." \*

In January, 1633-4, Sir Robert became involved in a quarrel between two traders in the City of London and two pages of the Prince's Bedchamber. The subject of dispute was the securing by patent of a recent invention for the chamleting or dressing of silk. The pages, Rice Griffith and Thomas Duckworth, maintained a prior claim to the invention, and produced a patent in their favour, dated 30th December. On the other hand Sir Robert alleged that Richard Westwood and Thomas Bourne having secured a right from the inventor, Robert Petley, draper in London, had applied for a patent anterior to the date of that procured by the pages. The poet evinced much ardour in favour of his clients. To overcome asperities the matter was referred to Lord Cottington and Mr. Secretary Windebank, who allowed it to rest.

The favour of Queen Henrietta procured the poet an office attended with a comfortable addition to his revenues. He was, in 1636, appointed Master of the Royal Hospital of St. Katherine.

\* English State Papers, Dec. 26, 1626.

This appointment was a sinecure worth £200 a year. St. Katherine's Hospital, \* with its collegiate church, was founded by Queen Matilda, wife of Stephen, in 1148, to secure repose to the souls of two of her children. The foundation consisted of a Master, Brethren, Sisters, and almspeople. The patronage of the various offices was vested in the Queen Consort; and so stringently has this rule been carried out, that on the death of Sir Herbert Taylor, who held the Mastership during the reign of William IV., and some time afterwards, her Majesty Queen Victoria was found as a reigning Sovereign disqualified from appointing a new Master. The right was declared to belong to the Queen Dowager, who accordingly exercised it. The hospital and church of St. Katherine stood on the east side of the Tower of London, and on the northern bank of the Thames. The buildings were removed in 1827, and the site is now occupied by St. Katherine's Docks.

Sir Robert obtained other honours. He became Master of Requests and Master of Ceremonies, and was nominated a Privy Councillor. In his various offices, writes Dempster, "he conducted himself with such moderation and prudence, that when he obtained high honours in the palace, all held that he deserved greater." Though averse to public displays, he cherished habits of friendship with many of his gifted contemporaries. According to Aubrey,† "he was acquainted with all the witts of his time in England." "He was," he adds, "a great acquaintance of Mr. Thomas Hobbes of Malmesbury, who told me he made use of him (together with Ben Jonson) for an Aristarchus, when he drew up his Epistle Dedicatory for his translation of Thucydides."‡ With Ben Jonson he enjoyed a cordial intimacy. While Jonson, in his celebrated conversation at Hawthornden with the poet Drummond, assailed his contemporaries with crushing satire, he rejoiced to say that "Sir Robert Aytoun loved him dearly." Sir James Balfour of Denmiln was a cherished friend. Balfour was himself a poet; he is as such celebrated by the Latin

\* Account of the Royal Hospital and Collegiate Church of St. Katherine, by J. B. Nichols. London, 1824. 4to.

† Aubrey's Letters, vol. ii., p. 200.

‡ "Eight bookes of the Pelopponesian Warre, &c., interpreted with faith and diligence." This translation, dedicated to Sir William Cavendish, Earl of Devonshire, was printed at London in 1634 in one folio volume. In his address to the reader Hobbes remarks that his translation "had passed the censure of some whose judgement I very much esteeme."

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poet Leoch in his *Strenæ*, published in 1626, in which he dedicates his *Fanus* to Sir James. Some pasquinades, by Balfour, are included among his MSS. in the Advocates Library.

Several of Aytoun's early friends at court attained high titles and honours. Of these the most conspicuous was William Alexander of Menstrie, originally gentleman of the Privy Chamber to Prince Henry, afterwards a knight, and ultimately Earl of Stirling. Lord Stirling has been celebrated by Aytoun in some verses, and he will be remembered as a poet when his other distinctions are forgotten. Sir James Hay, gentleman of the Bedchamber to James VI., was a close friend of our poet, and has been celebrated by his Muse. Hay succeeded to large estates, and obtained the Earldom of Carlisle. John Murray, also a gentleman of the Bedchamber, was much cherished by Sir Robert, who witnessed his elevation first to knight-hood, and latterly to the Earldom of Annandale.

Sir Robert died in the Palace of Whitehall, in February, 1637-8; he was in his 69th year. On the 28th February\* his remains were solemnly interred in Westminster Abbey. There an elegant monument, which still exists, was erected to his memory by Sir John Aytoun, his nephew and executor. The monument includes the poet's bust, executed by Huber le Sieur; it stands in the southern aisle of the choir at the corner of Henry VII.'s chapel. It is represented in Smith's *Iconographia*, and in Dart's "History of the Abbey Church of Westminster." The inscription is as follows:—

## M.S.

Clariss<sup>mi</sup>. omnigenaqve virtute et eruditione, præsertim Poesi ornatiss<sup>mi</sup>. Equitis Domini ROBERT AITONI, ex antiqua et illustri gente Aitona, ad Castr' m Kinnadinv' apud Scotos, orivndi, qvi a Sereniss<sup>mo</sup>. R. Iacobo cvbicvla interiora admissvs, in Germaniam ad Imperatorè, Imperiiqve. Principes cum libello Regio, Regiæ avthoritatis vindice Legatvs, ac primvm Annæ demùm Mariæ Sereniss<sup>mis</sup>. Britaniarvm Reginis ab Epistolis, consilliis et libellis svpplicibvs, nec non Xenodochio Stæ. Catherinæ Præfectvs; anima Creatori reddita, hic depositis, mortalibvs Exvviis, secvndvm redemptoris adventvm expectat.

Carolvm linqvens repetit Parentem,  
Et valedicens Mariæ, revisit  
Annam, et avlai decvs, alto Olympi,  
Mutat Honore.

\* "1637-8, February 28. Sir Robert Aeton, Secretary to his Majesty near y<sup>e</sup> steps ascending to King Henry 7<sup>th</sup> chapel."—*Westminster Abbey Register*.



Oblit cœlebs in Regia Albavla non sine maximo honore omnium  
luctu et mœrore ætat, svæ LXVIII. Salv. Hvmanæ MDCXXXVIII.

Hoc devoti gratique animi testimonium optimo patrvo Io. Aitonvs,  
M. L. P.

Mvsarvm Decvs hic, Patriæqve, Avlæqve, Domiqve, Et foris  
exemplar, sed non imitabile, Honesti.

### TRANSLATION.

#### SACRED TO THE MEMORY

Of a very illustrious Knight, SIR ROBERT AYTOUN, most adorned by every virtue and species of learning, especially poetry. He was descended from the ancient and eminent family of Aytoun, at the Castle of Kinaldie in Scotland. Being appointed Gentleman of the Bedchamber by his most gracious Majesty King James, he was sent to the Emperor and Princes of Germany, with a royal little work, defending royal authority; and having been made Prefect of St. Catherine, he became Private Secretary, first to Anne, and then to Mary, the most excellent Queens of Great Britain. He was also a Privy Councillor, Master of Requests, and Master of Ceremonies. His soul being restored to its Creator, while his mortal remains are here deposited, awaits the second coming of the Redeemer.

Leaving King Charles, he returns to his Royal Sire;  
and bidding adieu to Queen Mary, he revisits  
Queen Anne; and exchanges the honour of the  
Palace for the exalted glory of heaven.

He died, unmarried, in the Palace of Whitehall, not without the greatest grief and lamentation of all good men, in 1638, aged sixty-eight years.

As a testimony of his devoted and grateful sentiments, John Aytoun has erected this mournful monument to the best of uncles.

Here lies entombed an unrivalled example of worth—the glory of the Muses—of the Court and Country—of Home and Abroad.

On the 25th January, 1637-8, a few weeks before his death, the poet executed his Will.\* That document proceeds thus:—

"In the name of God Amen, I, SIR ROBERT AYTON, Knight, Secretary to her Majesty, being sick and weak of bodie but in perfect memory make my last Will and Testament as followeth: First I comitt my soul to Almighty God my Maker and Redeemer and my body to the earth to be interred at the discrecon of my executor hereafter named. I give and bequeath unto my nephew John Aiton, gentleman usher to the Prince his highnes, all my estate and right to the lands in Lincolneshire graunted

\* From the Will Registry at Doctors' Commons.



unto me by her Majesty. And all and singular my money, plate, household stuffs, and goodes which I have, provided that he pay these legacies hereafter bequeathed. Item I give unto my elder brother Mr. John Aiton the some of one thousand poundes towards the porcons in marriage of his daughters. Item I give to my second brother Mr. Andrew Aiton dwelling in Ireland, the some of five hundred poundes. Item I give unto my eldest sister Margaret towards porcons for her daughters the some of two hundred and fifty poundes. Item I give to my second sister Agnes the some of two hundred and fifty poundes for the use aforesaid. Item my Will is to allott one hundred poundes for my funerall. Item for my servants, viz. I give to Alexander Hill thirty poundes. Item I give to Benjamin Boteler twenty poundes. Item I give to my coachman Thomas Day tenn poundes. Item I give unto Margaret Achison the some of fifty poundes. Item my will is that my French bedd with the appurtenances be given unto Mrs. Whorewood. Item I give unto my best friend William Murray Esq., one of the groomes of his Majesty's bedchamber my hatband sett with diamonds. Item I give unto Andrew Pitcairn esquire, one of the groomes of his Majesty's Bedchamber, one hundred poundes worth of silver plate. Item I give unto Mrs. Jane Murray one of my best rings or one ring of the value of fiftie poundes. Item, My will is that all the legacies before named be paid within one year after my decease and that my servants be paid presently after my death. And I doe make my said nephew sole executor of this my last Will and Testament, which I hope he will faithfully pform. In witness whereof I have hereunto sett my hand and seal this five and twentieth day of January one thousand six hundred & thirty seven. ROBERT AYTON. In the presence of Thomas Major; B<sup>a</sup> Boteler; Alexander Hill."

The poet's executor and residuary legatee, "John Aiton, gentleman usher to the Prince;" claims more than a passing notice. He was second son of John Aytoun, of Kinaldie, the poet's elder brother, and was born in the Castle of Kinaldie, in 1595. Under the auspices of his uncle, he proceeded to London, and obtained an appointment about the Court. In November, 1637, "John Aiton, usher to the prince," appears in the Warrant-Book as receiving a yearly pension of £140, upon a surrender of a life pension granted to Sir Robert Aytoun. He soon attained higher honours. He was appointed Knight of the Black Rod, with the personal dignity of knighthood. By the will of his uncle, the poet, he received his lands in Lincolnshire, together with all his moveable estate, after paying certain legacies. Sir John Aytoun died unmarried.

John Aytoun of Kinaldie, the poet's elder brother, married

Katherine Carnegie. He died in 1645, and was succeeded in his estates by his eldest son, David. This gentleman was a zealous elder of the Scottish Church, and as such distinguished himself by joining in the prosecution of Archdean Gladstones of St. Andrews, which led to the deposition of that ecclesiastic by the General Assembly of 1638. He was *redoured*\* heir to his uncle, the poet, in the estate of Over Durdie, Perthshire, in 1649.† This estate, having been secured by entail to the nearest heir male, is not named in the poet's will; it extends to 370 acres of rich and fertile land in the *Carse* of Gowrie. David Aytoun died in 1692, and was interred in the parish church of Dunino, Fifeshire, where an elegant monument of black marble was erected to his memory. His eldest son, John Aytoun, was on the 28th November, 1700,‡ *redoured* as heir to "Sir John Aytoun of Kippo, gentleman of the Bedchamber and Knight of the Black Rod." The estate of Kinaldie remained in the Aytoun family till 1750, when it was alienated by the will of Captain Alexander Aytoun. Mr. Roger Aytoun of Inchdairnie, M.P. for Kirkcaldy, is the present head of the Aytoun family.

Sir Robert Aytoun in his Will names a "second brother, Mr. Andrew Aiton, dwelling in Ireland." This gentleman probably settled in Ulster during its plantation by King James. On the 18th March, 1635, the Earl of Antrim acknowledged military service to the king for twenty acres of land at Maynish, and twenty acres "in the liberties of the same," which in November preceding he had in perpetual tenure granted to Andrew Aiton.§ In the Hearth Tax Rolls of the county of Londonderry in 1663, "Lieutenant John Aiton" is named as residing in the Townland of Ballishean. In 1664 the same person is entered in the Barony of Lower Fewes in the county of Armagh. Administration of the estate of "John Aiton, Doctor in Theology," who died intestate, was in the Prerogative Court at Dublin on the 3rd May, 1683, granted to his son, John,

\* A Scottish process of serving an heir to an estate.

† David Aytoune de Kinnaldie, *hæres tallia et conquestus* Domini Roberti Aytoune Secretarii S D N Regis Moderni, *patrui*, in terris de Over-Durdie. Decimus garbalibus dictarum in parochia de Kilspindie, et dominio de Scone. *Inquis. Special.* Perth, Oct. 27, 1649.

‡ Special Inquisitions, Fife.

§ *Inq. Canc. Hib. Rep.*, vol. ii., *tem.* Car. I.

for the use of James, Henry, Ann, and Mary, his brothers and sisters.\* "James Ayton" was matriculated as a student of Trinity College, Dublin, on the 19th May, 1682, in his sixteenth year. There was a Robert Aytoun at Ardclinis near Larne in the county of Antrim in 1663.† A supposed grandson of this person, Robert Aytoun, son of Andrew, was matriculated in Trinity College on the 28th February, 1683. "The Rev. Andrew Aitton," father of Robert last named, dates his will at Connor in the country of Antrim on the 24th November, 1703. He bequeaths to his son, Robert, £500 with "his closet of books," and expresses a desire to be interred in the churchyard of Connor near the grave of his father. In the Probate Court, Belfast, is preserved a bond, dated 1820, for administering the effects of the late Archibald Ayton, clerk, by his widow. The deceased is styled late of Clach, in the county of Antrim. The Irish family seem to have become extinct.

Mr. William Murray, designated by the poet his "best friend," and to whom he bequeaths his "hatband sett with diamonds," is curiously connected with the political history of the period. The son of Mr. William Murray, minister of Dysart in Fifeshire, he originally studied for the Church, but being introduced at court by his uncle, Mr. Thomas Murray, tutor and afterwards secretary to Charles I., he sought political honours. Having been educated along with the young prince, he came to enjoy the intimate friendship of his future sovereign. Soon after his accession, Charles appointed him gentleman of his Bedchamber. To Murray the King gave his entire confidence, and employed him in several important negotiations connected with the troubles of his reign. According to several historians the royal *protégé* did not prove faithful. From the Parliament he accepted forty thousand marks for supporting their interest,‡ and it has been alleged that he and others holding appointments in the royal bedchamber, searched the King's pockets at night, and discovering letters from persons in Scotland favourable to the royal views, supplied copies of them to the Presbyterian leaders.§

\* Dublin Prerogative Court Records. † Subsidy Rolls. ‡ Guthrie's Memoirs.

§ History of Scots Affairs, by James Gordon of Rothinnay, 1841, 3 vols. 4to. Vol. I., p. 50; Vol. II., p. 198. According to Clarendon, Murray gave warning of the King's intention to seize the five members in the House of Commons.

Whether true or false, Murray continued to retain the royal confidence. In 1646, Charles raised him to the peerage by the titles of Earl of Dysart and Lord Huntingtower. He was one of the commissioners sent to Breda in 1650 to treat with Charles II., a duty in which he acquitted himself well. He died in 1660. Being without male issue, his titles were conferred by Charles II. on his eldest daughter.

These imperfect memorials of a court poet may be closed not inappropriately by a few remarks on the general character of his writings. The conceits which disfigure the poetical compositions of Sir William Alexander and other contemporaries, Aytoun has eschewed; and his classical allusions, though abundant, never embarrass or distress the reader. His manner is eminently lyrical, and his versification smooth and graceful. Compliment and love are his prevailing topics; but he can indulge in opposite themes, and when he smites, his sarcasm is crushing. In his sonnets he is terse and epigrammatic. For his fame he might have done better than expend his energies on love madrigals and courtly epilogues; but he might not, on the other hand, have been an owner of lands in Lincolnshire, or in the Carse of Gowrie. No doubt he wrote with a purpose, and accomplished his ends. Nor has he lost the poetic wreath. According to Aubrey, Dryden, who had incidentally seen some of his verses, characterized them as among the best of that age. Every writer on Scottish poetry and song has commended his compositions, and several have expressed regret that one who could compose so well should have exercised his gifts so sparingly. His Latin verses have been commended by Borrichius\* and John Dunbar the Latin poet has celebrated him in these lines:†—

*Eton, inexhaustis Phœbi satiate fluentis,  
Palladis et Suadæ viva medulla deæ:  
Mars aliis equitum solos largitur honores;  
Hos tibi sed præbent Mars et Apollo simul.  
Una manus calamus teneat, manus altera ferrum,  
Sic sis nominibus dignus utrinque tuis.*

\* Borrichii Dissertationes academicæ de Poetis, p. 149, Francof 1683, 4to.

† Roberto Aytouno Scoto famulantur Pieredes quacunque incedit."

† Epigrammatia Joan. Dunbar, Cent. iii. xlv. London, 1616, p. 73.

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## ENGLISH POEMS.

## DIOPHANTUS AND CHARIDORA.\*

WHEN Diophantus knew  
The Destinies' decree—  
How he was forced to forgoe  
His dear and only sweet,

O'er vaulted with the vail  
Of beam-rebeating trees,  
And ghastly gazing on the ground  
Ev'n death-stroke in his eyes,

Oft pressed he to speak,  
But while he did essay,  
The agonizing dread of death  
His wrestling voice did stay.

At last, as one that strives  
Against both woe and shame,—  
"Dear Charidora, oh!" he cries,  
"My high adored dame.

\* This poem was printed by Aytoun during his lifetime (see Memoir, p. 111). It is contained in Cott. MSS., and appeared in Watson's Collection, Part III., p. 33. The editor has by a careful comparison of the three copies endeavoured to restore the original text.

"First I attest thy name,  
And then the gods above;  
But chief of these, the Boy that bears  
The stately style of Love.

"Let those record with me  
What was my constant part;  
And if I did not honour thee  
With a well-hallow'd heart.

"I sacrific'd to thee;  
My secret chaste desires  
Upon thy beauty's altar burnt  
With never-quenching fires.

"Thou wast that idol still,  
Whose image I ador'd—  
The saint to whom I made my vows,  
Whose pity I implor'd;

"The star that sav'd my ship  
From tempest of despair,  
When the horizon of my hope  
O'er-clouded was with care.

"Thou wast the sovereign balm,  
The sweet catholicon—  
Which cur'd me of all my cares  
When I did grieve and groan.

"Tho' now such strange events  
Are interveen'd since syne—  
As I dare not avow to say,  
Nor think that thou art mine.

"Which makes me thus insert,  
In this my sorrowing song—  
The history of my mishap,  
My misery and wrong.

"Not that I can accuse  
My Charidora; No!  
I only execrate the Fates,  
Chief workers of my woe.

"Should she whom I have lov'd  
So many blithesome years—  
For whom my dew-distilling eyes  
Have shed such streams of tears,—

"Should she I say be made  
A prey to such a one  
Who for her sake yet never gave  
Ev'n one untimely groan.

"No surely, surely no;  
The Fates may do me wrong,  
And make her by their bad decreet  
To whom they please belong;

"Yet I dare boldly say,  
And peradventure vaunt,  
That she is mine by lot of love  
Tho' luck in love I want.

"And tho' my horoscope  
Envy my worldly things,  
Yet unto love it gave me leave  
For to compare with kings.

"And if I knew there were  
Under the starry sky,  
That durst avow to love my dame  
More faithfully than I—

"I should tear out this heart  
Which entertains my breath,  
And cast it down before her feet  
To die a shameful death.

"But since both time and she  
Have tried me to be true—  
And found such faithfulness in me  
As shall be found in few,

"I rest secure in this,  
And care not who pretend;  
The more presumes—the more my part  
Proves perfect to the end.

"And others' faithless faiths,  
In balance weigh'd with mine,  
Shall make my truth for to triumph,  
And as the sun to shine.

"There shall no change of things,  
Of time—of soil—of air,  
Enforce me to forgoe the vows  
Made to my fairest fair ;

"Which here I do renew  
In solemn form again,  
To witness as I did begin  
So shall I still remain.

"I swear by those two eyes,  
My only dearest dear,  
And by the Stygian stanks of hell,  
Whereby the gods did swear ;

"That thou art only she  
Whose countenance I crave,  
And shall be both in life and death  
Thy best affected slave ;

"That there shall no deceits  
Of lovely laughing een,  
No sugar'd sound of Syren songs  
With far-fetched sighs between—

"Deface out of my mind,  
What love did so engrave,  
Thy words, thy looks, and such things else  
As none but angels have.

"And this which here I swear,  
And solemnly protest—  
These trees which only present are  
Shall witness and attest.

"But chief above them all  
This holly sad and green  
On which the ciphers of our names  
Character'd, shall be seen.



"O happy, happy tree,  
Unto whose tender rind  
The trophies of our love shall live  
Eternally enshrin'd ;

"Which shall have force to make  
Thy memory remain,  
Sequester'd from the bastard sort  
Of trees, which are profane.

"For when with careless looks,  
The rest o'erpass'd shall be,  
Then thou shalt be ador'd and kiss'd,  
For Charidora's tree.

"And peradventure too  
For Diophantus' sake  
Some civil person that comes by  
Shall homage to thee make.

"Thus bless'd shalt thou remain,  
While I unhappy prove,  
And doubtful where I shall be blest  
When I shall leave my love.

"Indeed all is in doubt,  
But this—I must depart ;  
The body must a pilgrim be,  
And she retain the heart.

"The thoughts of which exile  
And dolorous divorce  
Works sorrow—sorrow doth from me  
Those sad complaints enforce.

"For while I was resolved  
To smother up my grief,  
Because it might but move in men  
More marvel than belief—

"The never-ceasing frowns  
Of mal-encountrous fates  
Extorted those abortive births  
Of importune regrets,

"To witness to the world,  
That my mishaps are such,  
Although I mourn like one half mad,  
I cannot mourn too much.

"For if of all mishaps,  
This be the first of all  
To have been highly happy once,  
And from that height to fall ;

"I'm sure I may well say,  
That Diophantus' name  
Is the synonyme of mishaps,  
Or else exceeds the same.

"Or if there be no Hell  
But out of Heaven to be,  
Consider what her want should work,  
Whose sight was such to me.

"I think all those that speak  
Of sorrow, should think shame,  
When Diophantus shall be heard,  
Or Charidora's name.

"Her worth was without spot—  
His truth was unprov'd ;  
The one deserv'd at least to live,  
The other to be lov'd.

"Yet hath the dev'lish doom  
Of destinies, ordained—  
That he should lose both life and love,  
And she a faithful friend.

"Wherefore all you that hear  
Those amorous tragic plays—  
Bestow on him a world of complaints,  
On her a world of praise."

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## OLD LONG-SYNE.\*

## PART I.

SHOULD old acquaintance be forgot,  
 And never thought upon,  
 The flames of love extinguished,  
 And freely past and gone?  
 Is thy kind heart now grown so cold  
 In that loving breast of thine,  
 That thou canst never once reflect  
 On old long-syne!

Where are thy protestations,  
 Thy vows and oaths, my dear,  
 Thou made to me, and I to thee,  
 In register yet clear?  
 Is faith and truth so violate  
 To th' immortal gods divine,  
 That thou canst never once reflect  
 On old long-syne?

Is't Cupid's fears, or frosty cares,  
 That make thy sp'rits decay?  
 Or is't some object of more worth,  
 That's sto'en thy heart away?  
 Or some desert makes thee neglect  
 Him, so much once was thine,  
 That thou canst never once reflect  
 On old long-syne?

Is worldly care so desperate,  
 That makes thee to despair?  
 Is't that makes thee exasperate,  
 And makes thee to forbear?  
 If thou of that were free as I,  
 Thou surely should be mine;  
 If this were true, we should renew  
 Kind old long-syne.

\* Parts I. and II. of this song have been ascribed to Aytoun, chiefly on the ground of the sentiments and manner bearing such marked resemblance to his own. Neither "Parts" are included in our MSS. We have subjoined two other versions, the latter of which is so abundantly familiar as the composition of Robert Burns.

But since that nothing can prevail,  
 And all hope is in vain,  
 From these rejected eyes of mine,  
 Still showers of tears shall rain.  
 And tho' thou hast me now forgot,  
 Yet I'll continue thine,  
 And ne'er forget for to reflect  
 On old long-syne.

If e'er I have a house, my dear,  
 That truly is called mine ;  
 And can afford but country cheer,  
 Or ought that's good therein ;  
 Tho' thou were rebel to the king,  
 And beat with wind and rain,  
 Assure thyself of welcome, love,  
 For old long-syne.

## PART II.

My soul is ravish'd with delight,  
 When thee I think upon ;  
 All griefs and sorrows take the flight,  
 And hastily are gone ;  
 The fair resemblance of thy face  
 So fills this breast of mine,  
 No fate or force can it displace,  
 For old long-syne.

Since thoughts of thee do banish grief,  
 When I'm from thee remov'd ;  
 And if in them I find relief,  
 When with sad cares I'm moved,  
 How doth thy presence me affect,  
 With ecstasies divine,  
 Especially when I reflect  
 On old long-syne.

Since thou hast robbed me of my heart,  
 By those resistless pow'rs,  
 Which Madam Nature doth impart  
 To those fair eyes of yours ;

\* This  
 It has bee

With honour it doth not consist  
 To hold a slave in pyne;  
 Pray let your rigour then desist,  
 For old long-syne.

'Tis not my freedom I do crave,  
 By deprecating pains,  
 True liberty he would not have,  
 Who glories in his chains;  
 But this, I wish the gods would move,  
 That noble soul of thine  
 To pity, since thou canst not love,  
 For old long-syne.

## AULD LANG SYNE.\*

Shou'd auld acquaintance be forgot,  
 Tho' they return with scars?  
 These are the noble hero's lot,  
 Obtain'd in glorious wars.  
 Welcome, my Varo, to my breast,  
 Thy arms about me twine,  
 And mak me ance again as blest,  
 As I was lang-syne.

Methinks around us on each bough  
 A thousand Cupids play,  
 Whilst through the groves I wauk with you,  
 Each object maks me gay;  
 Since your return, the sun and moon  
 With brighter beams do shine,  
 Streams murmur soft notes while they run  
 As they did lang-syne.

Despise the court and din o' state;  
 Let that to their share fa',  
 Who can esteem such slav'ry great,  
 While bounded like a ba';

\* This second version is transcribed from Herd's Collection, vol. i., p. 177.  
 It has been ascribed to Francis Semple.

But sunk in luvè, upo' my arms  
 Let your brave head recline ;  
 We'll please oursel's wi' mutual charms,  
 As we did lang-syne.

O'er moor and dale wi' your gay friend  
 You may pursue the chace,  
 And after a blyth bottle, end  
 A' cares in my embrace ;  
 And in a vacant rainy day,  
 You shall be wholly mine ;  
 We'll mak' the hours run smooth away,  
 And laugh at lang-syne.

The hero, pleas'd wi' the sweet air,  
 The signs of gen'rous love,  
 Which had been utter'd by the fair,  
 Bow'd to the pow'rs above ;  
 Next day, wi' glad consent and haste,  
 Th' approach'd the sacred shrine ;  
 Where the good priest the couple blest,  
 And put them out o' pine.

#### AULD LANG SYNE.\*

Should auld acquaintance be forgot,  
 And never brought to mind ?  
 Should auld acquaintance be forgot,  
 And days o' lang syne ?

For auld lang syne, my dear,  
 For auld lang syne,  
 We'll tak' a cup o' kindness yet,  
 For auld lang syne !

We twa hae run about the braes,  
 And pu'd the gowans fine ;  
 But we've wandered mony a weary foot,  
 Sin' auld lang syne.

\* The well-known version of Burns.

We twa hae paidl't i' the burn,  
Frae mornin sun till dine ;  
But seas between us broad hae roared,  
Sin auld lang syne.

And here's a hand my trusty fiere,  
And gie's a hand o' thine ;  
And we'll tak' a right guid willie-waught,  
For auld lang syne.

And surely you'll be your pint-stoup,  
And surely I'll be mine ;  
And we'll tak' a cup o' kindness yet,  
For auld lang syne.

---

## THE POET TO HIS HEART AND MISTRESS.

My heart exhale in grief,  
With a perpetual groan—  
And never cease to sigh and sob  
Till life or love be gone.  
Thy life is crost with love,  
Thy love with loathed breath,  
Thou hat'st thyself to live,  
A life ev'n such as death.

Resolve then one of two  
And patiently agree,  
Either to live a loveless life,  
Or else to love and die.  
But this thou canst not do,  
And that doth thee aggrieve,  
Thou can'st not live unless thou love,  
Nor love unless thou live.

So thou must live and love—  
Live wretched—love-disgrac'd,  
Disgrac'd by her in whom thy life,  
In whom thy love was plac'd.

O thrice unhappy heart !  
Of life and love forlorn—  
In what strange postures were the stars  
The hour that thou wert born ?

Since then their bad aspects,  
Did all conspire in one,  
To make a man, whose luck should be  
To be belov'd of none.  
And when they fram'd thy saint  
They did decree above,  
That e'en her shadow should infect  
A world of hearts with love.

Of these—ah ! thou wast one—  
O that thou had not been—  
But either had been void of sense,  
Or else depriv'd of een.  
And yet I would not so :  
No, no, I wish that thou  
Had lov'd her many years ago,  
Had seen her long ere now.

For this I must confess,  
Although I live in strife—  
I count the first day of my love  
The first day of my life.  
If I had made a choice,  
Of some unworthy dame,  
I might perchance have curst the Sun,  
That shin'd to see the same.

But since in thee, my dear,  
Such rare perfections lie,  
As might make Cupid die for love,  
If he had eyes as I,  
I must confess the truth,  
Thy love brings life to me,  
And I esteem him as stark dead  
That lives not loving thee.



I never was mine own,  
But since I thought me thine—  
And I would think I had no heart,  
If that my heart were mine.  
I sacrificed it once  
Unto thy sacred eyes—  
And aye since then I think it lives,  
Because for thee it dies.

Now this too by perchance  
A paradox doth prove,  
Yet none mistrusts such mysteries  
But heretics in love.  
Lov'd thou as well as I,  
Thou wouldst confess the same,  
But thou art not well purified  
With Love's refining flame.

Thou tak'st a great delight,  
To murder with disdain,  
As others take delight to save,  
An innocent unslain.  
Tho' thou disdain me still,  
My soul shall still abide,  
Content to sail the seas of love,  
Against both wind and tide.

And ever will thy grace,  
Some kind of succour send,  
My sorrow shall be like my love  
Were it begun its end.  
So shall I thee oblige,  
That thou shalt either be,  
The most ingrate that ever lived,  
Or thou shalt pity me.

For so resolv'd a love,  
And so despis'd a pain  
May oblige stocks, may oblige stones,  
To pity me again.

Behold, when I did weep,  
The clouds did melt in tears,  
The whisp'ring winds to hear me mourn,  
Did change their mouths to ears.

Yea, even Apollo's self  
O'er-veiled his face for woe,  
And thought it horror to behold  
A man tormented so.  
Whilst thou aye like thyself,  
Still cruel and unkind,  
Did'st think it was thy beauty's praise  
To see thy patient pin'd.

But pity, pity now,  
Not mine, but thy disgrace,  
And suffer not a tiger's heart,  
To wrong an angel's face.  
Behold, thou'rt fair, thou'rt wise,  
Thou'rt good, thou'rt all, what then?  
If cruelty convert those gifts  
In tigers unto men?

Were thy perfections more,  
As more they cannot be,  
Since their infinities disdain  
Both number and degree.  
But if they were not all  
At clemency's command,  
They were but like a naked sword,  
Put in a madman's hand.

For this is out of doubt,  
That whoe'er should you see,  
Would straightway love, and loving straight,  
Would thy poor martyr be.  
I wish not to be one,  
That those adventures prove,  
I wish not to be canonized,  
In kalendars of love.

Though my affection's wings,  
Might so ambitious be,  
Yet I believe there is no blank  
Left in that book for me.

I rather wish to live  
To testify my truth,  
And by good service to deserve  
The recompence of Ruth.

Yet if there be no way,  
To reconcile this strife,  
But either th' ruin of my love,  
Or shipwreck of my life,  
Content I am, sweet Nymph,  
E'en with my dearest blood  
To seal th' indenture of my death  
If that can do thee good.

Meanwhile I live like one,  
That waits for death's decree,  
And think that I shall gain my life  
When I shall lose 't for thee.

For I attest the orbs  
That run about above,  
I'd rather die for love of thee—  
Than live for others' love.

Though my mishap in love  
Might cause me to despair,  
Yet hope assures me thou art meek—  
As well as thou art fair.

Methought that in thine eyes,  
There shone some beams of grace ;  
And may not love lodge in thy heart,  
As well as in thy face ?

I will believe the best,  
And think that thou art mine,  
As well as thou may'st safely say  
That I am only thine.

---

## A LOVE DIRGE.

My temperate style at first  
With comic groans did greet,  
And tho' the entry seemed sour,  
The latest act was sweet.  
Now tragic trumpets blow,  
And sorrowing sounds unsought ;  
Unto my Muse's mourning mouth,  
A wail again is wrought.

Before—alternate joys  
Did promise some relief,  
Now—care and love conspir'd in one  
Have swol'n my endless grief.  
So that I see no sole  
Companion of my pains,  
Unless it be those wretched ones  
Which Pluto's reign retains.

And yet they must confess  
My grief their grief exceeds ;  
I suffer sacklessly, alas !  
But they for their misdeeds.  
And this much more I add—  
The Rodopean sounds  
Spent at Eurydice's fare-well  
Did mitigate their wounds,

And when Alcmena's son  
The siege to hell did lay,  
The prisoners of Pluto's pit,  
Got leave to take the play.  
But I, since first I did  
This luckless love embrace,  
Have never felt, no, not by dream  
The smallest glance of grace.

But cross came upon cross,  
And care conjoin'd with care,  
Sighs were companions to my tears  
And danger to despair.

I died and liv'd again,  
I liv'd again to die ;  
I died, I knew not what a death,  
A life it could not be.

It could not be a life,  
Since that I had no heart,  
And well I knew it was no death  
Since that I felt my smart.  
It was then such a mixt  
As takes part of the two,  
Or rather such, as both extremes  
Do utterly misknow !

No ! it was none of these,  
No, neither this, nor that,  
For anything that I can see,  
It was—I know not what.  
I knew not what it was ;  
But this I knew and griev'd,  
I knew I was th' unhappiest being,  
That ever lov'd or liv'd.

And thus remaining yet—  
I glister and I glance,  
A pattern of unhappiness,  
A mirror of mischance.  
A trophy which the Fates  
Erected have on high,  
To testify the true triumphs  
That they have gain'd o'er me.

Yet blame I not the Fates,  
For aught I do sustain,  
My grief is grounded upon this,  
That I dare not complain.  
I neither dare, nor will,  
I neither will nor may,  
I might if that I would,  
If that I durst essay.

But to disclose my grief,  
Unto my fatal foe  
Methinks it were the ready way,  
For to augment my woe.  
So thus concealed close  
My grief is always great ;  
The closer that the furnace is  
The sharper is the heat.

And floods are deepest there  
Where highest is the dam,  
And camomile doth prosper best  
When men tread down the same.  
But yet I fear, alas,  
Or rather have no doubt,  
My fiery rage is so extreme  
Of force, it must burst out.

And so I shall remain  
A gazing-stock to be  
To such as will not credit tales,  
When poets seem to lie—  
Like to Typhœus' rage,  
Or girning Gorgon's ire,  
Those furious and incensed sp'rits  
Which thunder flaughts of fire.

Yet if I could endure  
Eternally as they,  
My state were more miraculous,  
I dare both swear and say.  
But things too violent  
Cannot too long endure,  
My passions are so exquisite  
Their own end they'll procure.

O happy thrice were I  
If so could me befall,  
As chanced to Mausolus ashe,  
Whose wife did drink them all.

But wishes are but vain,  
Things run so to the worst  
In all my life, that after death  
I should be more at rest.

For who should promise me  
A burial at her heart  
When I am dead, who in my life  
Doth play me Nero's part?  
That cruel tyrant set  
The seven hill'd town on fire,  
And neither eyes nor flinty heart  
At such a sight did tire.

But from his palace high,  
He looked down along,  
And thinking on the siege of Troy,  
He burst out in a song.  
So she—fair cruel she,  
Whose looks set me on fire,  
Perceiving that my modesty  
To speak dare not aspire.

As it is jubilation  
Unto that sex and sort;  
So seeing makes her not to see,  
She laughs at it as sport.  
And since I dare not press  
Her ears for to acquaint  
With tragedies of my distress,  
And words of my complaint,

I shall not cease to show  
The beale wherein I bide,  
Unto my wonted secretaries  
In whom I do confide.  
The hills and craigs I mean,  
The high and stately trees,  
The valleys low, and mountains high,  
Whose tops escape our eyes.

And while I shew to them,  
 The nearest air shall hear't ;  
 The air shall carry to the fire,  
 The fire to heav'ns bear't.  
 The heav'ns shall lay'd abroad,  
 Before the gods above,  
 And if they will not find relief,  
 Farewell both life and love.

---

### INVOCATION OF HIS MISTRESS.\*

WRONG not, sweet empress of my heart  
 The merit of true passion,  
 Pretending that he feels no smart,  
 That sues for no compassion.

Sure if my plaint come not to prove  
 The conquest of thy beauty,  
 It comes not from defect of love,  
 But from excess of duty.

For knowing that I sue to serve  
 A saint of such perfection,  
 As all desire, but none deserve  
 A place in her affection.

I'd rather choose to want relief  
 Than venture the revealing :  
 Where glory recommends the grief,  
 Despair distrusts the healing.

Thus those desires, which aim too high  
 For any mortal lover—  
 When reason cannot make them die,  
 Discretion doth them cover.

\* This composition appears in various collections. It has been attributed to Sir Walter Raleigh.



Yet when discretion bids them leave  
The plaints which they should utt  
Then thy discretion may perceive  
That silence is a suitor.

Silence in love bewrays more woe,  
Than words, tho' ne'er so witty,  
A beggar that is dumb, you know,  
Doth merit double pity.

Then wrong not, dear heart of my he  
My true, tho' secret passion,  
He merits most that hides his smart,  
And sues for no compassion.

---

AN ADIEU.

WILT thou, remorseless fair,  
Still laugh while I lament,  
Or shall thy chief contentment be,  
To see me malcontent?

Shall I, Narcissus-like,  
A flying shadow chase,  
Or like Pygmalion hug a stone,  
That hath no sense of grace?

No, no, my blind love now  
Must borrow Reason's eyes,  
And as thy fairness made me fond,  
My wrongs must make me wise.

My loyalty disdains  
To love a loveless dame:  
The life of Cupid's fire consists  
Into a mutual flame.

Had'st thou but given one look,  
Had'st thou but gi'en one smile,  
Or had'st thou sent but one sweet sigh  
My sorrows to beguile,—

My captive thoughts perchance  
Had been redeem'd from pain,  
And these my mutinous discontents  
Made friends with hope again.

But thou, I know not how,  
Art careless of my good,  
And would ambitiously imbrue  
Thy beauty in my blood.

A great disgrace to thee,  
To me a monstrous wrong,  
Which time would teach thee to repent  
Before that it were long.

Then to prevent thy shame,  
And to abridge my woe—  
Because thou can'st not love thy friend,  
I'll cease to love my foe.

---

#### THE SCORNFUL REPROVED.

THERE is none, no none but I,  
None but I so full of woe,  
That I cannot choose but die,  
Or beg physic from my foe.

Now what hopes she shall be moved  
To revive my hopes forlorn?  
She that loves for to be loved,  
Yet pays her lover's hopes with scorn.

Whose deserts inflame desire,  
Whose disdain strikes comfort dead,  
In whose eyes lives love's fire,—  
From whose heart all love is fled.

Lovely eyes, and loveless heart,  
Why do you disagree?  
How can sweetness cause such smart,  
Or smarting so delightful be?  
No fair eyes,—no, no more so,  
Cruel eyes, and full of guile,  
You are only sweet in show—  
And never kill but when you smile.  
Yet fair eyes this I must say,  
Tho' you should be unkind,  
He, whose heart is not your prey,  
Must either be a fool or blind.

---

## THE LOVER'S REMONSTRANCE.

DEAR, why do you say you love,  
When indeed you careless prove,  
Reason better can digest  
Earnest hate, than love in rest.  
Wherefore do your smiling eyes  
Help your tongue to make sweet lies?  
Leave to statesmen tricks of state,  
Love doth politicians hate.  
You perchance presume to find  
Love of some chameleon kind;  
But be not deceiv'd my fair,  
Love will not be fed on air.  
Love's a glutton of his food,  
Surfeits make its stomach good,  
Love whose diet grows precise,  
Sick from some consumption dies.  
Then, dear love, let me obtain  
That which may true love maintain—  
Or, if kind you cannot prove,  
Prove true—say you cannot love.

## INCONSTANCY UPBRAIDED.

WHEN thou did'st think I did not love,  
 Then thou did'st doat on me :—  
 Now when thou find'st that I do prove  
 As kind as kind can be,  
     Love dies in thee.

What way to fire the mercury  
 Of thy inconstant mind,  
 Methinks it were good policy  
 For me to turn unkind,  
     To make thee kind.

Yet I will not good nature strain,  
 To buy at so great cost,  
 That which before I did obtain,  
 I make account almost,  
     That it is lost.

And tho' I might myself excuse,  
 By imitating thee,  
 Yet will I not examples use,  
 That may bewray in me  
     Lightness to be.

But since I once gave thee my heart,  
 My constancy shall show,  
 That tho' thou play the woman's part,  
 And from a friend turn foe,  
     Men do not so.

---

 THE EXERCISE OF AFFECTION.\*

THERE is no worldly pleasure here below  
 Which by experience doth not folly prove,  
 But among all the follies that I know,  
 The sweetest folly in the world is Love.

\* This appears in Watson's Collection, Part III., p. 39.

But not that passion, which by fools' consent,  
Above the reason bears imperious sway,  
Making their lifetime a perpetual Lent,  
As if a man were born to fast and pray.

No! that is not the humour I approve,  
As either yielding pleasure or promotion;  
I like a mild and lukewarm zeal in love,  
Altho' I do not like it in devotion.

For it hath no coherence with my creed,  
To think that lovers die as they pretend;  
If all that say they die, had died indeed,  
Sure long ere now the world had had an end.

Besides, we need not love but if we please,  
No destiny can force man's disposition,  
And how can any die of that disease,  
Whereof himself may be his own physician?

But some seem so distracted of their wits,  
That I would think it but a venial sin,  
To take some of these innocents that sit  
In Bedlam out, and put some lovers in.

Yet some men, rather than incur the slander  
Of true apostates, will false martyrs prove;  
But I am neither Iphis nor Leander,  
I'll neither drown nor hang myself for love.

Methinks a wise man's actions should be such  
As always yield to reason's best advice,  
Now for to love too little, or too much,  
Are both extremes, and all extremes are vice.

Yet have I been a lover by report,  
Yea, I have died for love as others do,  
But praised be God, it was in such a sort,  
That I revived within an hour or two.

Thus have I liv'd, thus have I lov'd till now,  
And found no reason to repent me yet,  
And whosoever otherwise will do,  
His courage is as little as his wit.

## DISDAIN CENSURED.

SHALL fear to seem untrue  
To vows of constant duty,  
Make me digest disdain's undo,  
From an inconstant beauty ?

No ! I do not affect,  
In vows to seem so holy,  
That I would have the world to check  
My constancy with folly.

Let her call breach of vow  
What I call just repentance,  
I count him base and brain-sick too,  
That doats on coy acquaintance.

Thus if out of her snare,  
At last I do unfold me,  
Accuse her not that caught me there,  
And knew not how to hold me.

And if I rebel prove,  
Against my will I do it—  
Yet can I hate as well as love,  
When reason binds me to it.

---

ON THE DEPARTURE OF HIS MISTRESS.

THEN wilt thou go, and leave me here ?  
Ah, do not so, my dearest dear :  
The sun's departure clouds the sky,  
But thy departure makes me die.

Thou can'st not go, but with my heart,  
E'en that which is my chiefest part ;  
Then with two hearts thou shalt be gone,  
And I shall rest behind with none.

Prevent the danger of this ill,  
Go not away, stay with me still,  
I'll bathe thy lips with kisses then,  
Expecting increase back again.

And if thou need'st must go away,  
Ah, leave one heart with me to stay,  
Take mine, let thine in pawn remain,  
That thou wilt quickly come again.

Meantime my part shall be to mourn,  
To tell the hours till thou return,  
My eyes shall be but eyes to weep,  
And neither eyes to see nor sleep.

And if perchance their lids I close,  
To ease them with some false repose—  
Yet still my longing dreams shall be,  
Of nothing in the world but thee.

---

SONG.\*

WHAT means this strangeness now of late?  
Since time doth truth approve,  
This distance may consist with state,  
It cannot stand with love.

'Tis either cunning or distrust,  
That doth such ways allow,  
The first is base, the last's unjust;  
Let neither blemish you.

If you intend to draw me on,  
You overact your part,  
And if you mind to send me gone,  
You need not half this art.

\* These verses are printed in Pinkerton's *Tragic Ballads*, but most incorrectly.

Speak but the word, or do but cast  
A look which seems to frown,  
I'll give you all the love that's past,  
The rest shall be my own.

And such a fair and equal way  
On both sides, none can blame,  
Since every one is bound to play  
The fairest of his game.

---

#### TO A VARIABLE MISTRESS.

WHY did I wrong my judgment so,  
As to affect, where I did know  
There was no hold for to be taken,  
That which her heart thirsts after most ?  
If once of it her hope can boast,  
Straight by her folly is forsaken.

Thus while I still pursue in vain,  
Methinks I turn a child again ;  
And of my shadow am a-chasing,  
For all her favours are to me,  
Like apparitions which I see—  
Yet ne'er come near th' embracing.

Oft have I wish'd that there had been  
Some Almanac whereby to 've seen,  
When love with her had been in season ;  
But I perceive there is no art  
Can find the epact of the heart  
That loves by chance, and not by reason.

Yet will I not for this despair,  
For time her humour may prepare,  
To love him now who is neglected,  
For what unto my constancy  
Is now denied, one day may be,  
From her inconstancy expected.



## TO AN INCONSTANT MISTRESS.\*

I LOV'D thee once, I'll love no more,  
Thine be the grief, as is the blame,  
Thou art not what thou wast before,  
What reason should I be the same?  
He that can love unlov'd again,  
Hath better store of love than brain;  
God send me love my debts to pay,  
While unthrifts fool their love away.

Nothing could have my love o'erthrown,  
If thou had'st still continued mine,  
Nay, if thou had'st remain'd thine own,  
I might perchance have yet been thine.  
But thou thy freedom did recall,  
That it thou might elsewhere enthrall,  
And, then, how could I but disdain  
A captive's captive to remain?

When new desires had conquer'd thee,  
And chang'd the object of thy will,  
It had been lethargy in me,  
Not constancy, to love thee still;  
Yea, it had been a sin to go  
And prostitute affection so,  
Since we are taught no prayers to say,  
To such as must to others pray.

Yet do thou glory in thy choice,—  
Thy choice of his good fortune boast,  
I'll neither grieve, nor yet rejoice,  
To see him gain what I have lost.  
The height of my disdain shall be,  
To laugh at him, to blush for thee;  
To love thee still, but go no more  
A begging at a beggar's door.

\* Printed in Watson's Collections, Part III., p. 41, and in various collections of old English poetry.

## THE AUTHOR'S ANSWER.

WRITTEN AT THE KING'S COMMAND.

THOU that lov'd once, now lov'st no more,  
 For fear to show more love than brain,  
 With heresy unhatched before,  
 Apostacy thou dost maintain.  
 Can he have either brain or love,  
 That doth inconstancy approve?  
 A choice well made, no change admits,  
 And changes argue after-wits.

Say that she had not been the same,  
 Should thou therefore another be?  
 What thou in her as vice did blame,  
 Can that take virtue's name in thee?  
 No, thou in this her captive was,  
 And made thee ready by her glass;  
 Example led revenge astray,  
 When true love should have kept the way.

True love hath no reflecting end,  
 The object good sets all at rest,  
 And noble breasts will freely lend,  
 Without expecting interest.  
 'Tis merchant love, 'tis trade for gain,  
 To barter love for love again,  
 'Tis usury, nay worse than this,  
 For self-idolatry it is.

Then let her choice be what it will,  
 Let constancy be thy revenge;  
 If thou retribute good for ill,  
 Both grief and shame shall check her change.  
 Thus may'st thou laugh, when thou shalt see  
 Remorse reclaim her home to thee,  
 And where thou begg'st of her before,  
 She now sits begging at thy door.

## THE POET FORSAKEN.

If high excess of unrelenting smart  
 Enforce not words to fail and thoughts to faint ;  
 My love would now convince both tongue and heart  
 To say farewell unto my sweetest saint.  
 But while affection would my woes reveal,  
 And say unto my dearest heart farewell,  
 My senses are so suffocate with care,  
 They sigh, they groan, then say nothing but "fair."

Then fairest fair, read in my sighs and tears  
 The secret anguish of thy dying slave,  
 Who, for the love unto thy worth he bears,  
 Hath consecrate his soul unto the grave ;  
 And now is forc'd from thy disdain to go  
 Where death may end his never ending woe,  
 Yet swearing still by all the lights above,  
 Ten thousand deaths shall never end his love.

And thus resolv'd, I only beg of thee,  
 Amid my sad exile, this poor relief,  
 That if thou cannot think with love on me,  
 Thou would with pity pause upon my grief.  
 Or if, perhaps, this little seem too much,  
 As oh, I fear thy rigour shall be such,  
 That when some friend my name to mind shall call,  
 Thou'lt only sigh and wish me well, that's all.

## THE FORSAKEN MISTRESS.\*

I do confess thou'rt smooth and fair,  
 And I might have gone near to love thee ;  
 Had I not found the slightest pray'r  
 That lips could speak, had pow'r to move thee ;  
 But I can let thee now alone  
 As worthy to be lov'd by none.

\* This composition is reprinted from Watson's Collection, Part III., p. 91, where it appears anonymously. By the editors of several collections it has been ascribed to Sir Robert Aytoun, we think correctly. It first appeared in Play-

I do confess thou'rt sweet, yet find  
 Thee such an unthrif of thy sweets,  
 Thy favours are but like the wind  
 Which kisseth everything it meets !  
 And since thou canst love more than one  
 Thou'rt worthy to be lov'd by none.

The morning rose that untouched stands,  
 Arm'd with her briars, how sweet she smells !  
 But pluck'd, and strained through ruder hands,  
 Her sweet no longer with her dwells ;  
 But scent and beauty both are gone,  
 And leaves fall from her one by one.

---

ford's "Select Ayres and Dialogues," printed in 1659 Burns found it in an old poetical collection, and made an attempt "to improve the simplicity of the sentiments by giving them a Scottish dress." In this instance the Bard of Coila has unquestionably failed. His version is as follows :—

"I do confess thou art sae fair,  
 I wad been ower the lugs in love,  
 Had I na found the slightest prayer  
 That lips could speak, thy heart could move.  
 I do confess thee sweet—but find  
 Thou art sae thrifless o' thy sweets—  
 Thy favours are the silly wind,  
 That kisses ilka thing it meets.

"See yonder rose-bud rich in dew,  
 Among its native briars sae coy ;  
 How sune it times its scent and hue  
 When pu'd and worn a common toy.  
 Sic fate, ere lang, shall thee betide,  
 Tho' thou may gaily bloom awhile ;  
 Yet sune thou shalt be thrown aside,  
 Like any common weed and vile."

Allan Cunningham thus commends Aytoun's composition :—"His song to a Forsaken Mistress is one of the sweetest and happiest of our early compositions. It has the singular merit of uniting natural elegance of language with originality of thought, and wholesome counsel with felicity of diction. We have the story of woman's levity and man's sympathy, related in a way which has been rarely equalled, and which must be felt by all who can feel for the modest dignity of offended love." He adds, "I may mention, that the Forsaken Mistress seems to unite the two characteristics of Scottish and English song; there is story mingled with sentiment—the former with prolixity, and the latter with conceit."

Such fate, ere long, will thee betide,  
When thou hast handled been awhile,  
Like fair flow'rs to be thrown aside.  
And thou shalt sigh when I shall smile,  
To see thy love to every one  
Hath brought thee to be loved by none.

---

## A LOVER'S LAMENTATION.

O THAT my tongue had been as dumb,  
As now I find  
My eyes were blind,  
When they did make my heart become  
A votary unto a saint,  
That hath no ears to my complaint.

Had I but made my eyes my tongue,  
My very looks  
Had serv'd for books  
Wherein she might have read her wrong ;  
But now my words as charms she fears,  
And serpent-like doth shut her ears.

Yet who would not have cried for aid,  
Burnt to the quick,  
A senseless stick  
To Vulcan's tyranny betray'd—  
Wilt waste itself in moist expense,  
And keep a noise as if 't had sense.

Speak then must I, tho' to no end,  
For love doth say  
That silence may  
Much more than friendly speech offend—  
Love once profess'd, and then forborne,  
Turns deaf neglect to spiteful scorn.

## PLATONIC LOVE.\*

O THAT I was all soul, that I might prove  
 For you as fit a love  
 As you for angel's, for I vow  
 None but pure spirits ere are fit for you.

You're all ethereal—there's in you no dross,  
 Nor any part that's gross ;  
 Your coarsest part is like the curious lawn,  
 With cords for vestal relics drawn.

Your finer part, part of the purest fire  
 That ere Heaven did inspire ;  
 Makes every thought that is refined by it,  
 A quintessence of goodness and of wit.

Thus hath your rapture reach'd to that degree  
 In love's highest philosophy,  
 That you can figure to yourself a fire  
 Void of all heat, a love without desire.

Nor in divinity do you do less,—  
 You teach and you profess  
 That souls may have a plenitude of joy  
 And in seraphic thoughts their powers employ.

But I must needs confess I do not find  
 The motions of my grosser mind  
 So purified as yet, but at the best  
 My body claims some interest.

I hold a perfect joy makes all our parts  
 As joyful as our hearts ;  
 My senses tell me if you please not them  
 My love is but a dotage or a dream.

Here shall we then agree ? your plea defend,—  
 But will not my sense end ;  
 I fain would tune my fancy to your key  
 But cannot reach to such an abstract way.

\* These verses appear in Sir John Aytoun's MS. only. Many of the lines are evidently imperfect.

There rests but this that while we sojourn here  
Our bodies may draw near ;  
And when our joys they can no more extend,  
Our souls begin where they did end.

---

UPON A DIAMOND CUT IN THE FORM OF A HEART,  
SET WITH A CROWN ABOVE  
AND A BLOODY DART PIERCING IT, SENT  
TO THE POET AS A NEW YEAR'S GIFT.

THOU sent to me a heart—'twas crown'd ;  
I thought it had been thine,  
But when I saw it had a wound,  
I knew the heart was mine.

A bounty of a strange conceit,  
To give mine own to me,  
And give it in a worse estate  
Than it was giv'n to thee.

The heart I sent, it had no pain,  
It was entire and sound,  
But thou did'st send it back again  
Sick of a deadly wound.

O heav'n's, how would you use a heart  
That should rebellious be,  
When you undo it with a dart,  
That yields itself to thee.

Yet wish I it had no more pain  
Than from the wound proceeds ;  
More for the sending back again,  
Than for the wound, it bleeds.

Envy will say some mis-desert  
Hath caused thee turn 't away,  
And where it was thy fault, thy art,  
The blame on it will lay.

Yet thou dost know that no defect  
 In it thou could'st reprove,  
 Thou only fear'd it should infect  
 Thy loveless heart with love.

A crime which if it could commit,  
 Would so indear't to thee,  
 That thou would rather harbour it  
 Than send it back to me.

Yet keep it still, or if poor heart  
 It hath been thine too long,  
 Send me it back as free from smart  
 As it was free from wrong.

---

### CHLORIS AND AMYNTAS.

CHLORIS, since thou art fled away,  
 Amyntas' sheep are gone astray,  
 And all the joys he us'd to see,  
 These pretty lambs run after thee.  
     She's gone, she's gone, and halladay,  
     Cries nothing else but walladay, walladay.

The embroider'd scrip he used to wear  
 Neglected hangs, so doth his hair,  
 His crook is broke, dog whining lies,  
 And he himself nothing but cries—  
     Chloris, O Chloris, come away,  
     And heal Amyntas' walladay, walladay.

His pipe, whereon he used to play  
 So oft to her a roundelay,  
 Is cast aside, and not a swain  
 Dares pipe or play upon the plain.  
     It's death for any one to say  
     One word to him but walladay, walladay.

\* The  
 "Basia,  
 Londini,  
 volume.  
 to the pe



Yon May pole, where her pretty feet  
 In their due measure oft did meet,  
 Is broken down, and no content  
 Comes near Amyntas since she went,  
     But all that e'er I've heard him say  
     Was, Chloris, Chloris, come away, come away.

The ground whereon she used to tread,  
 He ever since hath laid his head,  
 And suffer'd there such pining woe,  
 That not a blade of grass doth grow.  
     O Chloris, Chloris, come away,  
     And heal Amyntas' walladay, walladay.

---

TO THE MOST WORSHIPFUL AND WORTHY KNIGHT,

SIR JAMES HAY,\*

GENTLEMAN OF HIS MAJESTY'S BEDCHAMBER.

WHEN Janus' keys unlock the gates above,  
 And throw more age on our sublunar lands,  
 I sacrifice with flowers of fervent love  
     These hecatombs of kisses to thy hands ;  
 Their worth is small, but thy deserts are such,  
 They'll pass in worth if once thy shrine they touch.

Laugh but on them, and then they will compare  
 With all the harvest of th' Arabian field,  
 With all the pride of that perfumed air  
     Which winged troops of musked zephyrs yield,  
 When with their breath th' embalm th' Elysian plain,  
 And make the flowers reflect those scents again.

\* These stanzas to Sir James Hay serve as a dedication to Aytoun's Latin poem, "*Basia, sive Strena Cal. Jan. ad Jacobum Hayum, Equitem illustrissimum, Londini, 1605.*" 4to. The Latin poem will be found in another part of this volume. Sir James Hay was a favourite of King James, and was afterwards raised to the peerage by the title of Earl of Carlisle and Viscount Doncaster.

Yea they will be more sweet in their conceit  
Than Venus' kisses spent on Adon's wounds ;  
Than those wherewith pale Cynthia did entreat  
The lovely shepherd of the Latian bounds ;  
And than those which Jove's ambrosian mouth  
Prodigaliz'd upon the Trojan youth.

I know they cannot such acceptance find,  
If rigor censure their uncourtly frame,  
But thou art courteous, and wilt call to mind  
Th' excuse which shields both me and them from blame ;  
My muse was but a novice unto this,  
And, being virgin, scarce well taught to kiss.

---

#### PHILLIS AND AMYNTAS.

AMYNTAS on a summer day  
To shun Apollo's beams  
Was driving all his flocks away  
To taste some cooling streams ;  
And through a forest as he went  
Near to a river side,  
A voice which from a grove was sent,  
Invited him to bide.

The voice well seem'd for to bewray  
Some malcontented mind,  
For oftentimes did he hear it say  
Ten thousand times "unkind ;"  
The remnant of that rugged moan  
Did all escape his care,  
For every word brought forth a groan,  
And every groan a tear.

But nearer when he did repair,  
Both voice and face he knew,  
And saw that Phillis was come there  
The plaints for to renew.

So leaving her to her complaint,  
And murmuring rugged moans,  
He heard her fully, discontent  
Thus all burst forth at once.

"Amyntas, is my love to thee  
Of such a small account?  
That thou disdain'st to look on me,  
Or love me as thou wont?  
Were those the oaths that thou didst make,  
The vows thou did conceive,  
When I for thy contentment's sake  
My heart's delight did leave.

"How oft did thou protest to me  
The Heav'ns should turn to nought,  
The sun should first obscured be  
Ere thou should change thy thought?  
Then heav'ns dissolve without delay,  
Sun show thy face no more,  
Amyntas' love is lost for aye,  
And woe is me therefore.

"Well might I, if I had been wise,  
Foreseen what now I find,  
But too much love did seal mine eyes,  
And made my judgment blind.  
All thy behaviour was, God knows,  
Too smooth and too discreet,  
Like sugar which impoison'd grows  
Unspiced, because it's sweet.

"Thy oaths and vows did promise more  
Than well thou could'st perform,  
Like to a calm which comes before  
An unexpected storm.  
God knows it would not grieve me much  
For to be kill'd for thee;  
But oh, how near it doth me touch,  
That thou should'st murder me.

"God knows I care not, for no pain  
 Can come with loss of breath ;  
 'Tis thy unkindness, cruel swain,  
 That grieves me to the death.  
 Amyntas, tell me, if thou may,  
 If any fault of mine  
 Hath gi'en thee cause thus to betray  
 My heart's delight and thine ?

"No, no, alas, it could not be,  
 My love to thee was such,  
 Unless if that thou loathèd me  
 For loving thee too much ;  
 But oh, alas ! what do I gain  
 By these my fond complaints ?  
 My dolour doubles his disdain,  
 My grief his pride augments.

"Although it yield no greater good,  
 It oft doth ease my mind,  
 For to reproach th' ingratitude  
 Of him who is unkind."

"With that her hand, cold, wan, and pale,  
 Upon her breast she laid,  
 And finding that her breath did fail,  
 She sigh'd and then she said,

"Amyntas,—" and with that, pòor maid,  
 She sighed again so sore,  
 That after that she never said,  
 Nor sigh'd, nor breath'd no more.

---

SONNET.

LOVE AND WEALTH.

CAN Eagles' birds fly lower than their kind ?  
 Or can ambition stoop to servile gain ?  
 Can free-born breasts be forc'd against their mind,  
 To put the mask of love upon disdain ?

Can Love be bought? Can avarice constrain  
 Great Cupid to do homage unto gold?  
 Can he his wings, can he his flames restrain,  
 Or be induc'd to wish as worldlings would?  
 No, no, my fate is in the heavens enroll'd,  
 Men's laws may force my life, but not my love,  
 Men may my eyes, but not my heart, behold,  
 My eyes may their's, my heart my own, shall prove.  
 And ere I change, by heav'n I vow to leave  
 A joyless bed, and take a joyful grave.

---

## SONNET.

## UNRECOMPENSED DEVOTION.

My Fair's unkind, and I have spent my pains,  
 And purchas'd nothing but undue disdains.  
 Oh had she been as kind as I was true,  
 What praise to her, what joy to me'd been due?  
 But to my grief and her disgrace, I find  
 That fair ones too much lov'd, prove seldom kind,  
 What then, shall loving less be my revenge?  
 O no, I wrong my judgment if I change—  
 The dice are cast, and let her loathe or love,  
 I may unhappy, not inconstant prove,  
 For it is quite impossible for me,  
 To love her less, as more in love to be.

---

## SONNET.

## TO HIS EARS AND EYES.

UNHAPPY eyes, why did you gaze again,  
 Upon these fatal love-inspiring spheres?  
 Knew you not how her fire-flaughts would constrain,  
 Your crystal circles to dissolve in tears?

And you again, ev'n as unhappy ears,  
 Why did her painted phrase your fort surprise?  
 Knew you not well, that on her lips she bears  
 A charming host of persuasive replies?  
 Oh, eyes and ears, that ye had been more wise,  
 And had not waken'd up a sleeping flame,  
 Yet since the fault is done, my comfort lies  
 Upon the merits of a matchless dame—  
 For whoso loves her not that hears and sees,  
 Is neither worthy to have ears nor e'es.

---

## SONNET.

ON THE LOSS OF HIS MISTRESS.

Lo ! how the sailor in a stormy night  
 Wails and complains till he the star perceive  
 Whose situation and assured height,  
 Should guide him thro' the strong and wat'ry wave.  
 As many motives, wretched soul, I have  
 For to regret, as few as to rejoice,  
 In seeing all things, once this sight I crave,  
 Since I the load-star of my life did lose,—  
 And what is worse, amidst those many woes,  
 Amidst my pain, which passes all compare,  
 No help, no hope, no comfort, no repose,  
 No sun appears to clear these clouds of care,  
 Save this, that fortune neither may nor dare  
 Make my mishaps more hapless than they are.

---

## SONNET.

TO SYLVIA.

FAIR cruel Sylvia, since thou scorn'st my tears,  
 And overlook'st my cares with careless eyes,  
 Since my request in love offends thine ears,  
 Henceforth I vow to hold my earnest cries.

But if I should, e'en lifeless things shall cry,  
 The brooks shall murmur, and the winds complain, \*  
 The hills, the vales, the deserts where I lie,  
 With echoes of my sighs shall preach my pain.  
 Yea, put the case,—I silent should remain,—  
 Imagine brooks and winds should hold their peace.—  
 Say that woods, vales and deserts, would disdain  
 To acquaint thy deaf disdain with my disgrace;  
 Yet were they deaf,—thou dumb to me should prove,  
 My death shall speak, and let thee know my love.

---

### SONNET.

ON THE EYES OF HIS MISTRESS.

WERE those thine eyes, or lightnings from above  
 Whose glorious glances dazzled so my sight?  
 I took them to be lightnings sent from Jove  
 To threaten that his thunder-bolt would light.  
 Yet lightning could not be so long, so bright,—  
 They rather seem'd to be some suns, whose rays  
 Promov'd to the meridian of their height,  
 Yet e'en in that their number them betrays:  
 Suns were they not, the world endures but one;  
 Their force, their figure, and their colour says  
 That they were heav'ns—yet heav'ns on earth are none—  
 Whate'er they were, my sight no odds espies  
 'Twixt heavens, 'twixt suns, 'twixt lightnings and thine eyes.

---

### THE GAME OF TABLES.\*

LOVE's like a game at Tables, where the die  
 Of maids' affection doth by fortune fly;  
 Which, when you think you're surest of the same,  
 Proves but at best a doubtful after-game;

\* This appears in Watson's Collection, Part ii., p. 115.

For if they find your fancy in a blot,  
It's two to one if then they take you not,  
But, being gam'sters, you must boldly venture,  
And when you see the point lie open, enter.  
Believe me one thing,—nothing brings about  
A game half lost so soon as holding out ;  
And next to holding out, this you shall find,  
There's nothing worse than entering still behind.  
Yet doth not all in happy entrance lie  
When you are in, you must throw strong and high.  
If you throw low and weak, believe me then,  
Do what you can, they will be bearing men ;  
And if you look not all the better on,  
They will play foul,—bear two instead of one.

---

## SONNET.

LEFT IN A LADY'S MIRROR.

To view thy beauty well, if thou be wise,  
Come not to gaze upon this glass of thine ;  
But come and look upon these eyes of mine,  
Where thou shalt see thy true resemblance twice ;  
Or if thou think'st that thou profan'st thine eyes,  
When on my wretched eyes they deign to shine,  
Look on my heart, wherein, as in a shrine,  
The lovely picture of thy beauty lies ;  
Or if thy harmless modesty think shame  
To gaze upon the horrors of my heart,  
Come read these lines, and reading see in them  
The trophies of thy beauty and my smart ;  
Or if to none of these thou'lt deign to come,  
Weep eyes, break heart, and then my verse be dumb.

---



## SONNET.\*

ON A LADY THAT WAS PAINTED.

PAMPHILIA hath a number of good arts,  
 Which commendation to her worth imparts;  
 But, above all, in one she doth excel,  
 That she can paint incomparably well;  
 And yet so modest, that if prais'd for this,  
 She'll swear she does not know what painting is,  
 But straight will blush with such a portrait grace,  
 That one would think vermilion dyed her face.  
 One of her pictures I have oftentimes seen,  
 And would have sworn that it herself had been;  
 And when I bade her it on me bestow,  
 I swear I heard the picture's self say—No!  
 What! think you this a prodigy? 'tis none—  
 The Painter and the Picture both were one!

## SONNET.

A LOVER'S REMONSTRANCE.

I BID farewell unto the world and thee,  
 To thee, because thou art extreme unkind;  
 Unto the world, because the world to me  
 Is nothing since I cannot move thy mind.  
 Were any mercy in thy soul inshrin'd  
 Could sighs or tears make soft thy flinty heart?  
 More easy I perhaps might be inclin'd  
 To spend my days with thee, then to depart.  
 But since thou knows't not Cupid's golden dart  
 But hath been wounded with a shaft of lead;  
 It is but folly to pretend an art  
 To sue for favour where all love has fled  
 So farewell Nymph, farewell for aye as now,  
 And welcome death more merciful than thou.

\* Printed in Watson's Collection, Part ii., p. 114.

## SONNET.

## ON TOBACCO.

FORSAKEN of all comforts but these two,  
 My faggot and my pipe, I sit and muse  
 On all my crosses, and almost accuse  
 The Heav'ns for dealing with me as they do.  
 Then Hope steps in, and with a smiling brow  
 Such cheerful expectations doth infuse  
 As make me think ere long I cannot choose  
 But be some grandee, whatsoe'er I'm now.  
 But having spent my pipe, I then perceive  
 That hopes and dreams are cousins—both deceive.  
 Then make I this conclusion in my mind,  
 'Tis all one thing—both tend into one scope—  
 To live upon Tobacco and a Hope,  
 The one's but smoke, the other is but wind.

## SONNET.

## ON THE GUNPOWDER TREASON.

THE mighty Mavors, zealous to behold  
 A Mars more mighty than himself below,  
 Did once resolve his rival to o'erthrow  
 By Assassins, whom open force made bold;  
 But finding then that open force did fold  
 Under the princely valour of his foe,  
 He then determin'd to assail him so  
 As no defence should his offence withhold.  
 Then came he down to Pluto's dire abode,  
 And there for fire and brimstone straight did call—  
 Wherewith he thought to play the thund'ring god,  
 And make the world admire his rival's fall;  
 But cease fond Mars to make the world to wonder,  
 Ten thousand Laurels save our Mars from thunder.

## SONNET.

## ON FALSE HOPES.

FALSE hopes are bankrupts both of time and youth—  
 The shadows which king Cepheus sons did chase—  
 The pools which fled from 'Tantalus' thirsty mouth,—  
 Go hence from me, and take your dwelling place  
 With such cameleons as can live on air—  
 With such as bow unto their own disgrace.  
 Thurinus sought for good and solid ware,  
 For me, I'd rather cherish true despair,  
 Than entertain such hopes as do betray me;  
 Yea, I would rather stoop to such a care  
 As cuts me short, than such as do waylay me.  
 A hopeless life is arm'd against all pain;  
 It doubleth grief, to hope and not t' obtain.

## SONNET.

## TO THE RIVER TWEED.

FAIR famous flood, which some time did divide,  
 But now conjoins two diadems in one,  
 Suspend thy pace, and some more softly slide,  
 Since we have made thee mistress of our moan.  
 And since none's left but thy report alone,  
 To tell the world our captain's last farewell,—  
 That courtesy, I know, when we are gone,  
 Neptune thy lord may it perchance reveal,  
 And you, again, the same will not conceal;  
 But straight proclaim it thro' his brinish bounds,  
 Till his high tides these flowing tidings tell,  
 And straightway send them, with his murm'ring sounds,  
 To that religious place,\* whose stately walls,  
 Do keep the heart, which all our hearts enthral.

\* Melrose Abbey, in which was deposited the heart of King Robert the Bruce.

## SONNET.

TO MRS. MARGARET LESLY, AFTERWARDS LADY MADERTY.\*

Religious relics of that ruinous place,  
 Which some time gloried in the glore of saints,  
 Now hath no glore but one, whereof it vaunts,  
 That one saint's beauty makes it heav'n of grace—  
 In balmy fields, which fards her flow'ry face  
 With sweet perfumes of corns, of trees, of plants,  
 While Neptune swells with pride, when there he haunts,  
 And laughs for joy such beauty to embrace ;  
 Bear me record, that while I passèd by,  
 I did my duteous homage to your dame ;  
 How thrice I sigh'd, thrice on her name did cry,  
 Thrice kiss'd the ground for honour of the same ;  
 Then left those lines to tell her, on a tree,  
 That she made them to live, and me to die.

## SONNET.†

ON SIR WILLIAM ALEXANDER'S MONARCHICK TRAGEDIES.

WELL may the programme of thy tragic stage  
 Invite the curious pomp-expecting eyes  
 To gaze on present shows of passèd age,  
 Which just desert Monarchic dare baptise.  
 Crowns thrown from thrones to tombs, detomb'd arise,  
 To match thy muse with a Monarchic theme,  
 That whilst her sacred soaring cleaves the skies,  
 A vulgar subject may not wrong the same.  
 And what gives most of lustre to thy fame—  
 The worthiest Monarch that the sun can see,  
 Doth grace thy labours with His glorious name,  
 And deigns protector of thy birth to be.  
 Thus all Monarchic ; patron, subject, style,  
 Make thee the Monarch-Tragic of this isle.

\* Margaret Lesly was daughter of Patrick Lesly, first Lord Lindores, second son of Andrew, fifth Earl of Rothes. She became the wife of John, second Lord Maderty, to whom she bore eight children. In this sonnet the poet refers to Lindores Abbey, which in 1606 was erected into a temporal lordship in favour of the father of his heroine. It is situated on the river Tay, near Newburgh, "where Neptune swells with pride." The trees which adorned the Abbey orchard in the poet's time still yield a rich crop of fruit.

† This commendatory sonnet is prefixed to the "Monarchick Tragedies" of Sir William Alexander of Menstrie, printed in 1607, and dedicated to King James. Sir William Alexander was afterwards created Earl of Stirling.

## SONNET. \*

ON KING JAMES.

THE old records of annalizèd fame  
 Confirms this wonder with the world's assent,  
 That once that Isle which Delos hight by name,  
 In Neptune's bosom like a pilgrim went ;  
 After, when great Apollo was content,  
 To grace it with the bliss of his birth-day,  
 Then, those inconstant motions did relent,  
 And it began to rest, to stand and stay.  
 Delos, while I admire thee, I must say,  
 Our Albion may in that with thee compare ;  
 Before our Phœbus' birth we were a prey  
 To civil motions, tossèd here and there ;  
 But since his Birth-star did o'ershine our state,  
 We stand secure, redeem'd from all debate.

## SONNET.

TO KING JAMES.

WHERE Thebes' great towers did threat the sky,  
 And overlook'd the fertile Pharian land,  
 There Memnon's statue all of stone did stand,  
 And challeng'd wonder from each gazing eye ;  
 For of itself no sense in it was found,  
 No breath, no motion, nor no life at all ;  
 But when Apollo's beams on it did fall,  
 Then it sent out a vital vocal sound.  
 I am that statue, great and mighty king ;  
 Thou art that Phœbus, who with rays of love  
 Did make me both to breathe, to live and move.  
 When of myself I was a senseless thing.  
 Then gracious sun still shine, and with those rays,  
 Still give him life, who still shall give thee praise.

\* Published in Watson's Collection, Part iii., p. 44.

## ON ALEXANDER CRAIG'S POETICAL ESSAYS.\*

WHY thought fond Greece to build a solid fame  
 On flying shades of fables passing vain?  
 Why did her self-deceiving fancy dream  
 That none but she the Muses did maintain?  
 She said those sacred sisters did remain  
 Confined within a *craig* that there did lie;  
 That great Apollo's self did not disdain,  
 For that rough palace, to renounce the sky;  
 That there a well, still drawn, but never dry,  
 Made laymen poets ere they left the place.  
 But all were tales which fame doth now belie,  
 And builds up Albion's gloire to their disgrace.  
 Lo! here the Craig whence flows that sacred well,  
 Where Phœbus reigns—where all the Muses dwell.

---

ALEXANDER CRAIG

TO HIS DEAR FRIEND AND FELLOW-STUDENT,  
 MR. ROBERT AYTOUN.

SING swift hoof'd Æthon to thy matchless self,  
 And be not silent in this pleasant spring;  
 I am thy echo, and thy airy elf,  
 The latter strains of thy sweet tunes I'll sing.

\* This sonnet is prefixed to "Poetical Essayes of Alexander Craige, Scotobritane," London, 1604, quarto. It is acknowledged by Craig in the sonnet which follows it, to which our poet responds in another addressed to his early friend. The last is printed in Craig's "Poetical Recreations, Edinburgh, 1609, 4to." Craig mentions Aytoun as "his dear friend and fellow-student." His history is imperfectly known. Besides his "Poetical Essays" and "Recreations," he published a volume under the title "The amorous Songs, Sonnets, and Elegies of M<sup>r</sup> Alexander Craig, Scoto-Britan," London, 1606, 12mo. He likewise appears as a contributor to the "Muses' Welcome." He received a pension of £400 in 1605, and two years afterwards the grant was ratified by an Act of the Scottish Parliament ("Acts of the Parliaments of Scotland," Vol. iv., p. 389). A person of his name was Member of Parliament for Banff in 1621. On the 20th December, 1627, James Craig was *retoured* heir to his father, Alexander Craig of Rosecraig. (Inquisitionum Abbreviatio, vol. ii., inq. gen., 1372.)

\* Cra  
*Equitem*

† Mr  
 was unc  
 afterwar  
 of the V  
 in Wats

Ah, shall thy Muse no further fruits forth bring,  
 But "Basia" \* bare? and wilt thou write no more  
 To higher notes? I pray thee tune thy string!  
 Be still admired as thou hast been of yore.  
 Write Æthon, write, let not thy vein decay,  
 Least we become Cymmerians dark, or worse;  
 If Æthon fail, the sun his course must stay,  
 For Phœbus' chariot takes the chiefest horse—  
 Though fortune frown, ah, why should virtue die?  
 Sing, Æthon, sing, and I shall echo thee.

---

ÆTHON CRAIGO SUO.

Fain would I sing, if songs my thoughts could ease,  
 Or calm the tempest of my troubled brain,  
 Fain would I force my silent Muse to please  
 The gallant humour of thy wanton vein.  
 But O, a miser mancipate to pain,  
 Sold slave to sorrow, wedded to mischief,  
 By mirth of songs, perhaps more grief might gain;  
 In vain of them I should expect relief;  
 Then sacred Craig, if thou would'st ease my grief,  
 Invite me not to wantonize with thee,  
 But tune thy notes unto my mourning key,  
 And when I weep, weep thou to echo me.  
 Perhaps the tears that from a Craig shall flow,  
 May prove a sovereign balm to cure my woe.

---

MR. THOMAS MURRAY'S FALL.†

THE other night from Court returning late,  
 Tir'd with attendance, out of love with state,  
 I met a boy who ask'd if he should go  
 Along to light me home? I answered, No!

\* Craig alludes to Aytoun's Latin Poem *Basia sive Strena ad Jacobum Hayum Equitem Illustrissimum*. See his Latin Poems.

† Mr. Thomas Murray was tutor and afterwards Secretary to Charles I. He was uncle of Mr. William Murray, gentleman of the Bedchamber to Charles I., afterwards Earl of Dysart (see Memoir). These verses are contained in a volume of the Wodrow MSS., preserved in the Advocates Library, and are also printed in Watson's Collection, Part ii., p. 116.

Yet he did urge the darkness of the night,  
 The foulness of the way requir'd a light.  
 "'Tis true, good boy," quoth I ; "yet thou may'st be  
 More useful to some other than to me ;  
 I cannot miss my way ; but they that take  
 The way from whence I came, have need to make  
 A light their guide ; for I dare boldly say,  
 'Tis ten to one but they shall lose their way."

---

THESEUS AND HIS SHEPHERDESS.

THE Shepherd Theseus long'd to die  
 Gazing on the gracious eye  
 Of her whom he adored and lov'd,  
 When she whom no less passion mov'd,  
 Thus said, "O die not yet I pray,  
 I'll die with thee, if thou wilt stay."  
 The Shepherd then awhile delays,  
 No heart he had to end his days ;  
 And while thus languishing he lies  
 Sucking sweet nectar from her eyes.  
 The loving Shepherdess who found  
 The harvest of her love at hand  
 With trembling eyes, straight fell a crying  
 Die, die sweet heart, for I am dying.  
 The Shepherd then did straight reply  
 Behold sweet heart with thee I die.  
 Thus did those lovers spend their breath,  
 In such a sweet and deathless death,  
 That they to life reviv'd again,  
 Again to try death's pleasant pain.

---

LINES TO QUEEN ANNE UPON NEW YEAR'S DAY, 1604.\*

MADAM,

Who knows your greatness cannot but with fear  
 Draw near your altar to make off'rings there,  
 But whoso knows your goodness may make bold,  
 And with a mite as with a mine of gold,

\* These lines appear in Watson's Collection, Part iii., p. 44.



As confidently sacrifice to you ;  
 And this is it that must plead pardon now,  
 Both for the poorness of my gifts and lines.  
 Princes are gods ; gods laugh to see their shrines  
 Adorned with any gift, but of that kind  
 That Irus may as well as Croesus find.  
 They know how worldlings personate their parts,  
 And mask gold presents within leaden hearts.  
 They know how gifts at Court are but a train,  
 To steal from great ones twice as good again.  
 Now I have no such end ; my poor oblation  
 At this auspicious time of salutation,  
 Had it a tongue, this only would it say,  
 Heav'n's heap upon you many a New Year's Day.

---

## ON PRINCE HENRY'S DEATH TO PRINCE CHARLES.

ADMIR'D Phoenix springing up apace  
 From the ashes of another Phoenix' bones,  
 Which too too courteous yielded thee his place,  
 Lest earth were burden'd with two birds at once  
 Of that rare kind which love to live alone,  
 Whose only offence is to be but one.

---

## PHILO AND SOPHIA.

## AN EPIGRAM.

PHILO lov'd Sophia, and she again  
 Did pay him with her coy disdain,  
 Yet when he died, he left her all he had,  
 What do you think ? the man was mad.

---

## ROBERTI AYTONI POEMATATA.

## AD JACOBUM VI.

BRITANNIARUM REGEM, ANGLIAM PETENTEM,  
ROBERTI AYTONI PANEGYRIS.

FATA per æthereos jam maturata recursus,  
Implêrant justum decreti temporis orbem ;  
Quo vatam firmanda fides, quorum entheus ardor,  
Auspiciis, Jacobe, tuis, et sospite ductu,  
Sæcla Caledoniæ desponderat aurea genti.

Ergo illi, ut soles lucerent purius auro ;  
Ergo illi, ut quercus sudarent roscida mella,  
Sponte suâ tellus gravidam demitteret alvum,  
Omnigenis fœcunda bonis, et pacis in umbra  
Lætius exurgens fronderet termes olivæ ;  
Ecce velâ primis teneri lallatibus oris,  
Ad jam septeni sinuata volumina lustrî,  
Imperiis famulata tuis sunt omnia cæli  
Numina : nec quisquam nostro fœlicius orbe  
Sceptra manu tenuit, repetas licet ordine longo  
Et quos Ferguso deductos Scotia jactat,  
Et quos famosis memorat vicinia fastis :  
Junge etiam externas alio sub sidere gentes,  
Quæ Rhenum Rhodanumq; bibût, quas alluit Ister,  
Quas Tagus exuviis pretiosæ ditat arenæ,  
Denique luciferis lustrat quascunque quadrigis  
Phœbus, et Eoâ surgens illustrior undâ,  
Et jam defessum tingens devexior axem :  
Non illæ laudare queant è stemmate Regum,  
Atque coronigeræ numerosa stirpe cohortis  
Unum aliquem, qui te meritis et sorte secundâ  
Æquiparet, tecumque ausit certare regendo.  
Sic votis fortuna tuis servire per omnes

Edidicit casus, postquam tibi purpura cessit,  
Et commissa tuis suprema potentia curis.  
Scilicet ut primum Genius te lucis in auras  
Edidit, occultæ virtutis signa dedisti,  
Quæ te per totum vitæ est comitata tenorem,  
Et cui se comitem socia compagine junxit  
Prodiga successu semper fortuna secundo.

Dilaniare tuos cives feralis Enyo  
Cœperat, et diros pallens miscere tumultus  
Tisiphone, socias acies cognataque signa  
Committens : jam bella placent, jam lusus in armis  
Quæritur, ut quam non valuerunt perdere Cimbri,  
Non Picti, non Saxo ferox, non belliger Anglus,  
Viribus ipsa suis iret gens Scotica pessum.  
Sed tua prosperitas inter cunabula victrix  
Emicuit, patriæque vicem miserata gementis  
Jam conclamatis potuit succurrere rebus :  
Auspiciis effecta tuis victoria velox,  
Quæque tuum cœptis prætendit factio nomen  
Hostibus edomitis victricia signa reduxit  
Ocyus, et subitâ cinxit sua tempora lauro  
Tantæ molis opus lactens infantia, mirum !  
Duxit ad optatum facili molimine finem.

Prisca quidem Herculeis elisos viribus angues,  
Fama refert, tener in cunis dum luderet infans,  
Roboris indicio spem confirmante futuri :  
Sed facinus quod tu pappanti crudior ævo  
Ausus es, exsuperat tanti miracula facti.  
Tu solo nutu, semoto robore dextræ,  
Monstrum horrendum, ingens, gemino crudelius angue  
Vicisti, cursu tam præcipitante, putasses  
Posse tuum cum velle pari procedere passu.

Qualiter Eois rutilus cum surgit ab undis  
Phœbus, et aurato fulget præsignis amictu,  
Illico disparent nubes, quas humida noctis  
Temperies patulis cœli suspenderat oris.  
Aut velut in magnâ cùm tempestate laborat  
Navita, nec quicquam prodest prudentia cani  
Rectoris contra rabiem cœlique, marisque

Pinum impellentis quò dirigit ira procellæ,  
Ledæi geminus si favit fideris ardor,  
Continuò ponunt venti, mare sternitur, æther  
Ridet, et obductum clarat ferrugine frontem:  
Haud aliter virtute tuâ disparuit ista  
Seditiosa lues et tetri bellua belli:  
Nec contenta tuos fines liquisse, recessit  
In tam lōginquas procul hinc trans æquora terras,  
Ut nunquam revocare gradum te sceptrā tenente  
Ausa sit, imperiive tui turbare quietem.

Mox tibi maturis ut crevit robur ab annis,  
Tam facili crevit velox prudentia cursu,  
Ut populum indigenam placidis in pace teneres  
Imperiis, gentes alias ad fœdera regni  
Virtutis solo ductos splendore vocares.  
Hinc tibi Gallorum vincolo propiore ligata  
Candida corda tenes, et belli nobile fulmen  
Henricum socio jungis tibi fœderis ictu.

Hinc fastosus Iber, quem nulli parcere regno  
Regni sacra fames patitur, tibi gestit, et unum  
Nititur officiis alternis vincere Regem.

Quinetiam infestis discerpta Britannia bellis  
Flagrat amore tui, et Scotis debere fatetur  
Facta truci præsens quod non sit præda tyranno.

Jam vero antiquis gens nobilitata trophæis  
Cimbrica, virtutis tantæ miracula cernens  
Riphæos montes et Balthica littora famâ  
Transiliisse suâ, voluit te fœdere certo  
Devincire sibi, fratrum ut surgeret inde  
Nomen amicitiae nullo debile sæclo,  
Fœlix illa dies, niveoque notanda lapillo,  
Qua thalamis conjunx, qua sceptris addita consors  
Dana fuit, quæ si non esset filia Regis,  
Regia non esset conjunx, non Regia mater,  
Forma tamen dignam faceret, quæ regia corda  
Imperiis premeret, sceptrumque teneret amoris.

Una tibi, ex omne fieres ut parte beatus,  
Gloria restabat, Scotos ut jungeret Anglis  
Non simulata fides, rixasque oblita priores

Gratia divisas gentes solidaret in unam,  
 Et Tamesin Forthæ socio vinciret amore :  
 Hoc vatum responsa dabant sperare, sed olim  
 Hoc tantum sperare dabant, cum bina sub uno  
 Principe regna forent, et jus daret unus utrique.

Ergo unum hoc populus votis suspirat uterque,  
 Ergo satis geminis faciant ut sidera votis,  
 Ecce placet Superis Arctoo lumen Olympo,  
 Atque Ariadneæ sidus laterale Coronæ  
 Addere, regali quondam quæ sidus in aula  
 Fulserat, Angligenis venerabile nomen Elizam.

O nimium dilecte Deo, cui sidera parent,  
 Et conjuratæ veniunt ad vota coronæ,  
 Adspice quam facili nutu tibi serviat æther,  
 Dum tibi securo, punctis hominumque Deûmque  
 Defertur, quod cæde alii, quod sanguine quærunt.  
 Angla etenim, cum jam sciret cœlestia signa  
 Adventu gestire suo, cum conscius Atlas  
 Pondere venturo quateret nutantia membra,  
 Distulit illa tamen, cupido si reddere cœlo,  
 Dum tibi pacatos hæredi traderet Anglos.  
 Sic proceres affata : Mihi jam fata supremum  
 Indixere diem, nec fas convexa tueri  
 Serius, en abeo gravis annis, atque trophæis,  
 Non immaturo moriens aut præcoce fato :  
 Nil vitæ me cura coquit, nil territat horror  
 Mortis, et adveniens lassus sopor altus ocellis,  
 Præteritæ tam grata animo virtutis imago  
 Occursat, tam dulce mihi meminisse, tot annos  
 Alitibus faustis populi diadema potentis  
 Fœmineas decorasse comas, ut non nisi læta  
 Elisias mediter sedes, ubi justa laborum  
 Præmia, ubi merces non fraudat fortiter acta.  
 Unum hoc sollicitam supremâ vellicat horâ,  
 Qua vobis ratione queam regnique saluti  
 Consulere, et tantis custodem adsciscere sceptris.  
 Ergo animus sese partes dum versat in omnes,  
 Et satagit laudare ducem, cui pareat ultrò,  
 Quem colat, et cujus ductu ditata trophæis

Anglia captivas suspendat in arbore cristas,  
Herculeas juxta metas hostilis Iberi,  
Unum hoc occurrit : melius non posse caveri  
Rebus et imperii rationibus, Anglica quam si  
Sceptra manu teneat, qui Scotica torquet, eâdem.  
Si pietas, si cana fides, si candida morum  
Temperies, si virtutum collecta caterva,  
Si magnos semper volvens mens ardua motus,  
Lactea lingua fluens Hyblæo prodiga succo,  
Denique forma decens, et totos sparsa per artus  
Gratia membrorumque modus, blandita priorum  
Qualem semideis non fingunt carmina vatum,  
Imperium meruisse queant, hic solus ab isto  
Dignus erit solio vobis qui jura ministret.  
Sed nihil hæc valeant, et sint sine pondere dotes,  
At leges et jura volunt, et sanguinis ordo  
Poscit, ut Anglorum regali in sede locetur,  
Regibus Anglorum qui sacros imputat ortus.  
Ecquid erit validum vestram turbare quietem?  
Quæ regio in terris vestris non cesserit armis,  
Quum geminas jungat generosa Britannia vires?  
Anglica si quantis attollet gloria rebus;  
Cum Rosa pubescens foliis bicoloribus Anglo,  
Et quæ purpureo splendet Lancastria fuco,  
Quæque Eboracensis niveo velatur amictu,  
Fulva Caledonii distinguet colla Leonis?  
Ergo uni parete omnes, hic flectat habenas  
Imperii, nutuque suo suprema gubernet:  
Atque istud monuisse satis, me plura parantem  
Dicere Lethææ prohibet vicinia ripæ.  
His dictis dedit ore animam, cæloque locata  
Inter sidereas fulsit fax aurea tædas,  
Propitio spargens cælum fulgore Britannum.

Nec mora, quos fidos vivens experta probârat,  
Invenit obsequiis plenos post funera cives.  
Ex omni procerum turba florente leguntur,  
Qui suprema tibi referant mandata puellæ  
Scepترigeræ, qui te populo sine fine potenti,  
Atque tibi populum per mutua vincla maritent.

Quales lætitiæ festos ad sydera plausus  
 Congeminasse putes Scotæ gratantia gentis  
 Agmina, tam grati cunctis cum nuntia casus  
 Fama Caledonias tepefecit motibus auras ?  
 Non tantum in longos solvit se natio lusus  
 Non tantum paterâ noctes et carmine duxit  
 Mista senum et juvenum confuso turba tumultu ;  
 Nec satis accensis sævi flammantis acervis  
 Justa fuit gratæ testari gaudia mentis :  
 Quinetiam quæ stare solent exsensa, putasses  
 Fortunæ risisse tuæ genioque litasse.  
 Abjiciens tellus hybernæ tegmina panni  
 Versicolore tulit distinctam emblemate pallam :  
 Suspirans blandos Zephyrus de nare susurros  
 Aëra cinnamæis dissectum infecerat alis.  
 Ipse etiam Nereus, cujus stat gurgite vasto  
 Insula, pacatis adlambens littora lymphis,  
 Subridente leveis blandum dedit ore cachinnos.

Interea quo fata vocant, quo te tua virtus  
 Invitat, moliris iter, Scotisque relictis  
 Tendis ad affines Anglorum sedulus oras.  
 Illa dies quæ te certum discedere vidit  
 Accinctumque viæ, docuit quam charus abires  
 Dilectusque tuis : subito se gaudia motu  
 In luctus vertere graves, dum pondus amoris  
 Accendit vigilem trepidio sub pectore curam,  
 Ne perdat commune bonum, commune salutis  
 Præsidium, patriæ patrem populique parentem.

Eheu solliciti res est quam plena timoris  
 Magnus amor ! metuit semper qui diligit, et quod  
 Mente capit, cupit ante oculos ut semper oberret.  
 Ergo tui nequit avelli conspectibus oris  
 Scotia, te sequitur gressum quocunque moveres.  
 Ordo omnis, sequiturque omnis te sexus ætas,  
 Patriciæ, procerum turmæ, plebeiaque turba,  
 Longævi cum plebe senes, cum virgine matres  
 Adglomerant, comitesque tuis se passibus addunt :  
 Tu prohibes, et quemque jubes ad priva reverti,  
 Contentus tali studio ceu pignore amoris.

Turba sequax, quamvis sit letho durius omni  
Extremum proferre vale, vultusque serenos  
Principis, heu nunquam vultus fortasse videndos  
Linquere, versa tamen retro vestigia flectit,  
Dum studet exactum gessisse per omnia morem.  
Et jam terga dabat, cum rursus flectere vultum  
Sollicitavit amor, talesque effundere voces  
Singultu medias interrumpente querelas :

Tunc potes, Rex magne, tuam sic linquere gentē ?  
Sic tibi sordescit, regna ad vicina vocato,  
Scotia, nulla tui super ut sit cura popelli ?  
Quod si certa nimis sedet hæc sententia menti  
Inceptum pertexere iter, fixumque tenendas  
Regis et hæredis titulo stat cernere terras,  
I fælix quo fata vocant, perge alite faustâ,  
Dummodo prima tuis reducem te Cynthia sistat :  
Sed si perpetuum regno meditaris in Anglo  
Hospitium, et Scotæ jamdudum pœnitet oræ,  
Da veniam, justi si vis extrema doloris  
Imputet, in nostris primum quod sedibus æther  
Haustus, et infirmis pulsus vagitibus aër,  
Quod nondum primævus adhuc, imbellis, inermis  
Defensus nostris clypeis, hostilia tela  
Spreveris et regno fueris submotus avito.  
Anglia quid ? verum præstat non dicere, nos te  
Per Genium, patriam, per pignora chara rogamus,  
Per si quid tibi dulce magis, ne desere gentem,  
Quæ nunquā obsequio cecidit nec decidet unquā,  
Rupta licet rerum solvantur fœdera, brutum  
Inque chaos redeat luxati machina mundi.  
Dictabat graviora dolor, sed jam ungula pernix  
Quadrupedante tuas saltu subduxerat aures :  
Tu pergis, populoque tuo post terga relicto,  
Metiris tractus quos lati fluminis alveo  
Tueda rigat, mox succedis lætantibus arvis,  
Quæ vicina suis Northumbria continet ulnis.

At tunc quos habitus, quantæ miracula pompæ  
Cernere erat ? cum tu magnâ stipante catervâ  
Saxonidûm, fallax rumor quos sæpius ante



Luserat, adveniens omni dum crederis horâ,  
 Rura per et medias, solito conspectior, urbes  
 Spumanti vehereris equo : creberque feriret  
 Aures iste sonus, VIVAT, multosque per annos  
 Temperet augusto junctas moderamine gentes,  
 Ordine qui Sextus, primus virtutibus audit.

Certe ego crediderim, simili lustrasse paratu  
 Nascentis quæ regna vident cunabula Phœbi  
 Thyrsigeri currus et patris ovariantia signa,  
 Cum grex hirsutus Satyrorum, atque ebria Mænas  
 Euion ingeminâret, Io clamaret Iacche.

Aut simili pompâ stipatam credere fas est  
 Solis avem, cum jam reparavit morte juventam,  
 Et rediviva suo struxit cunabula busto.  
 Hanc volucrum numerosa cohors, te millia vulgi  
 Mirantur, populus Dominum submissus adorat,  
 Et lassata quidem, sed non satiata videndo  
 Lumina deponunt in te juvenesque senesque :  
 Præcipuè juvenes, qui te ductore perennes  
 Mente agitant lauros, quorum mens nescia claudi  
 Finibus angustis quies insula clauditur, alis  
 Transvolat Oceani reboantia septa, tuumque  
 Imperium terris, famam metitur Olympo.

En (ajunt) olim auspiciis muliebribus usi  
 E Gaditanis lauros decerpimus arvis,  
 Saxonidumque rosas Hispano insevimus orbi,  
 Et quisquam nostris fines præscripserit armis,  
 Imperiove modum Sexto duce et auspice SEXTO ?

Quid loquar, ut queruli patres, et garrula mater,  
 Ut puer, ut virgo, te viso, gaudia vultu  
 Pinxerit, et festos clamores plausibus aptans,  
 Non ingrata tuas in laudes solverit ora ?  
 Non mihi ferrato streperet si pectore Phœbus,  
 Et centum gemino manarent verba palato ;  
 Gratantis turbæ varios habitusque modosque  
 Dinumerare queam : satis est voluisse notare  
 Lætitiæ monumenta suæ, tenuique Minervâ  
 Delibasse tibi quos consecravît honores  
 Jugitur, à primo calcati limite regni

Ad medium penetrare : caput qua tollit in auras  
Urbs antiqua, potens armis, et splendida luxu,  
Quæque alias tanto supereminet intervallo,  
Quantum humiles superat pinus procera myricas,  
LONDINUM indigenæ vocitant. Hic ultima pompæ  
Pars fuit, hoc centro ceu consummatus obhæsit  
Lætitiæ tractus : quid enim sors addere votis  
Ulterius potuit ? post pulvinaria divum  
Tot precibus lassata venis, et numen amicum  
Ut Tutelarîs sacrans pomœria Divus.

Ergo tibi hic summû quod restat solvitur, omnis  
Unanîmi populus regem te voce salutat,  
Sceptra manu sistit, cingit diademate crinem,  
Membra superfuso trabeæ miratur in auro,  
Se tibi submittit, sua devovet, in tua verba  
Conceptis properat verbis jurare, tisque  
Mancipat imperiis summam vitæque necisque :

Felices, quæis sors melior dedit ista tueri  
Comminus ! ac oculo propius lustrare fideli !  
Hos justas animare fideis in cuncta monebat  
Officii pietas totius conscia pompæ,  
Ad nos tam longo tractu cælique solique  
Distractos, famæ tenuis vix labitur aura.  
Quid mirum si rauca strepat, si murmure balbo  
Sibilet ægra chelys, si vix millesima rerum  
Pars nervis aptata tuos enervet honores ?  
Culpa quidem ingenii permultum deterit, at nos  
Non adeo agresti carmen tenuamus avenâ,  
Ut tibi non olim patrio vernacula versu  
Riserit, occultos dum suspiraret amores,  
Et CHARIDOREO DIOPHANTUS serveret æstu  
Forsit et hæc, quamvis grandi fastosa boatu  
Non fremit, at tenui tantum spiramine musset,  
Oceanî transvecta domos et cærula regna,  
Augustas grata novitate morabitur aures.

Interea, Rex, macte tuis virtutibus, istis  
Versibus, et tanti parto diademate regni :  
Crede mihi, quidquid mundi per furta Tonantis  
Cepit Agenoreæ nomen de nomine natæ,

Attonitum stupet omne tui miracula fati.  
 Pluribus invaluit tam vasta potentia sceptris,  
 Quisque sibi ut timeat. Non tu de pulvere tressis  
 Regulus, aut vilis populi sine nomine princeps.  
 Quidquid ab Ausoniis est alter creditus orbis,  
 Hoc nutu tremit omne tuo, quæ sistere cursum  
 Romani imperii potuit, tibi Scotia servit :  
 Quæ toties Gallos, toties tremefecit Iberos,  
 Anglia, colla tuis ultrò submittit habenis.  
 Dedita jugum multos muliebre Decembres,  
 Deposita feritate tibi famulatur Ierne.  
 Orcades, et maculæ plures in fronte Britannæ  
 Doridos, extremæ spectantes littora Thules  
 Adscribi titulis tanti rectoris anhelant.

Quodque tibi ingentes animos et mascula corda  
 Excitet, et magnos justâ spe nutriat ausus,  
 Non ullos natura tuo præscribere fines  
 Ausa est imperio, nisi quos circumsona Nerei  
 Pertica spumanti metatur cuspidis ictu :  
 Omine monstrosæ sortis, quandoque futurum,  
 Quicquid ut Oceanus restuis complectitur ulnis,  
 Te colat, et toto distantes orbe Britanni  
 Subjiciant totum lege et legionibus orbem.

Nec minus aucta novo regni custode, superbum  
 Exere læta caput, contemptis Anglia telis  
 Invidiæ ; non jam rabies livoris iniqui  
 Objiciet muliebre jugum, dum jussa capessis  
 Herois Fergusiadæ, dum Martia corda,  
 Rege sub invicto patiens ratione domari.  
 Respicias Augustum ? tuus est fælicior. Optas  
 Trajanum ? tuus est melior. Juvat addere Titum ?  
 Et primas Jacobus habet, tam comis, ut unus  
 Deliciæ humani generis mereatur haberi.

Scotia testis erit, quæ sic amplexa regentem est,  
 Sic colit, insano nec adhuc non deperit æstu,  
 Ut nisi te sociam junxissent mille catenæ,  
 Proximitas cæli atque soli, par cultus ad aras,  
 Par sonitus linguæ, species non discolor oris,  
 Quæque animos mollire solent iterata vicissim

Fœdera regalis commissa per oscula lecti ;  
 Vix raptos impunè suos pateretur amores.  
 Sed tibi rivali tantum liveret honorem.

Nunc vero, læta atque libens hoc Sole fruisi  
 Te patitur, precibusque suis invitat, ut illi  
 Obsequiosa geras morem, cultusque rependas,  
 Quos monet officium tanto persolvere Regi.  
 Dilige ceu patrem, ut Dominum reverere, loquantur  
 Marmora muta, suos statuæ fateantur honores :  
 Ficta viri vivant auratis ora figuris :

Non incus vacet ulla, pio quæ pondere vultus  
 Regalis non pressa gemat, vix tota Corinthus  
 Sit satis, ut calidis fornacibus æra ministret,  
 Effigies ductura suas, quas omnis ubique  
 Angulus, extremo quantumvis devius Anglo  
 Non minus observet sacro veneramine, prisci  
 Quam Troes delapsa polo simulacra Minervæ.

Illa dies, illi qua rerum summa potestas,  
 Qua regni commissus apex, qua publica moles  
 Incubuit tantis primum inclinata lacertis :  
 Murice Gætulo fastis inscripta notetur :  
 Annuaque instauret festa solennia pompa.  
 Quæ decus et famam tam chari principis, atris  
 Unguibus eripiant Libitinæ, et sceptra Stuartæ  
 Gentis ab hoc puncto transmittant perpetis ævi,  
 Ad natos natorum et qui nascentur ab illis.

#### EPICEDIUM IN OBITUM THOMÆ RHÆDI.

SCILICET hoc fatum est validæ virtutis, et acris  
 Ingenii hæc genesis, dum Famæ extendere metas  
 Ultra busta parat, vitæ pomceria in arctum  
 Contrahit, accersit funus dum funeris experts  
 Emolitur opus, sitet umbra ut colligat auras.  
 Sic querimur te Rhæde rapi : dum totus anhelas  
 Mnemosynes clarum fastis inscribere nomen,  
 Et vel privatis juvat impallescere chartis,  
 Ut possis prodesse orbi, vel iussa capessis

Regia, et Ausonio donatur epistola cultu  
 Ad reges mittenda alios : sub pondere tanto  
 Ilia paulatim ducis : vis ignea mentis  
 Imperia in famulos tam dura exercuit artus,  
 Ut non sufficerent vires conatibus altæ  
 Indolis, et magnæ captantis præmia famæ.  
 Sed macie exsanguî pallentem lurida tabes  
 Occupat, et lentâ carpit præcordia flamma :  
 Consumptam sic sæpè facem conspeximus, omnem  
 Dum lucem impendens alienis usibus, altè  
 Liquitur, et proprias depascitur igne medullas.

Si qua tamen spes est victurî nominis ulli,  
 Si qua Novensilibus vis est concessa Deabus,  
 Cultores sacrare suos, Tua posthuma Rhæde  
 Innumerabilibus canescet gloria seclis.

Nempe tibi infanti, qua Scotia vergit ad Arctos,  
 Ipsa fuit Pallas nutrix, dedit ubera, cunas  
 Impulit, adduxit somnos modulamine cantus  
 Ausonii Grajique : dein cum prima tenellus  
 Tentamenta pedum faceres, per devia Pindi  
 Tesqua, per Aonios lucos et amœna vireta  
 Fortunatorum nemorum, quæ laurus inumbrat,  
 Ipse tibi rexit Phæbus vestigia, toto  
 Pieridum plaudente choro : tunc firmior annis  
 Fælici auspicio Sophiæ per cuncta vagaris  
 Naturæ secreta, vides quæcunque profundis  
 Democritus putei finxit demersa latebris :  
 Mente etiam petis alta poli, velumque reducente  
 Uranie, humanis impervia visibus audes  
 Rimari, et toto latè discurrere cælo.

Subsidiis fretum tantis, talique saburrâ  
 Libratum juvat à patrio secedere fumo,  
 Externasque videre plagas. Sic matre relicta  
 Deserit angusti genitiva cubilia nidi  
 Alarum tyrocinium factura volucris :  
 Sic tractus alio quærit sub sole jacentes  
 Mercator, patriæ fructus et munera terræ  
 Permutaturus peregrini mercibus orbis.

Gallia visa tibi primùm, sed Gallia tantum

Visa tibi per transennam (ceu flumina Nili  
 Delibat canis) attraxit Germania philtro  
 Et precis et pretii, geminâque hac arte morandi  
 Consilium extorsit. Geminas sic inter amicas  
 Eligitur, non quæ roseo formosior ore est,  
 Sed quæ pervigili studio magis instat, et urget  
 Fortius affectum, Paphiæque incendia flammæ.

Palladis in castris multâ hic cum laude merentem,  
 Et victa de Barbarie sciolisque sophistis  
 Ducentem insignes fama victrice triumphos  
 Lipsia detinuit longum. Quis credidit illic  
 Se ritè admissum in Phœbi sacraria, Rhædo  
 Non pandente fores? Quis per dumeta Lycæi  
 Ausus ita tentare, nisi duce et auspice Rhædo?

Nec tibi fama minor quâ Balthica littora spectat  
 Rostochium, paucis istic tibi plurimus annis  
 Crevit honos, nullo non admirante profundæ  
 Doctrinæ aggestos tot in uno pectore acervos,  
 Fælicemque viam fandi, quocunque liberet  
 Ore loqui, quocunque habitu producere partus  
 Mentis, et examines scriptis animare papyros.  
 Æqua tamen tantæ virtuti præmia nondum  
 Contigerant, non scena satis contermina luci.  
 Hanc tibi debebat florentibus inclyta rebus  
 Anglia, florenti fueras flos debitus aulæ,  
 Et decuit tali talem clarere theatro.

Namque Minervæi quamvis nutritus in umbrâ,  
 Non tamen in curis fueras civilibus hospes,  
 Sed te dexteritas genii versatilis aptum  
 Finxerat ex æquo studiis, aulæve, scholæve.  
 Unde capessenti graviorum pondera rerum,  
 Tradenti et Latiis mandata Augusta tabellis,  
 Incorrupta fides, solers industria, coctum  
 Judicium, et priscae certans facundia Romæ  
 Hic magnum peperere decus, quodque omnia vincit  
 Elogia, hic magno Regi potuisse placere  
 Contigit, et talem meritis addiscere testem,  
 Quo nihil in terris sapientius adspicit æther.  
 Ille tuum eloquium tanto est dignatus honore,

Ut tibi, non alii, propriæ monumenta lucernæ  
 Crediderit vertenda illo sermone, per orbem  
 Quo peregrinari possent, et Regibus esse  
 Pro speculo, non qua sceptris stat meta Britannis,  
 Sed quacunque patent Latiae commercia linguae.

Jamque hic ad summum voti venisse cacumen  
 Rhæde videbaris, nihil amplius addere laudi  
 Fama tuæ poterat, nihil illi aut livor avarus  
 Detrahere, aut Nemesis rebus non æqua secundis:  
 Verum ô perfidium fati! quod demere laudi  
 Haud potuit, luci et vitalibus abstulit auris.  
 Et tu Rhæde jaces opera inter manca, minasque  
 Scriptorum ingentes, queis si suprema fuisset  
 Cum limâ porrecta manus, non ulla fuisset  
 Calliopes toto Sophiæve illustrior albo,  
 Quam quæ Rhædeum præferret pagina nomen.

Nunc ceu rapta tuis superant tantummodo bustis  
 Paucula furtivas schediasmata fusa per horas.  
 Quali acumque tamen sunt hæc, hæc ipsa revincent  
 Esse Caledoniis etiamnum lumen alumnis,  
 Et Genium, quo vel Scoti Subtilis acumen,  
 Vel poterunt dulces Buchanani æquare Camœnas.

Jamque vale, mi Rhæde, (mei ah pars maxima quondam,  
 Nunc cæli pars magna) tuo mihi funere tantum  
 Cordolium inflixit fati importuna tyrannis,  
 Cogat ut inceptas lachrymis abruptere laudes.

Heu quoties dixi, descendam lætus ad umbras  
 Elysias, moriarque libens, modo carmina nostro  
 Inscribat tumulo Rhædus, nunc ordine verso  
 Naturæ votique mei, (proh fata) sub umbras  
 Is prior, et nobis demandas pensa supremi  
 Officii, quæ dum multis firmatis ab annis  
 Nodus amicitiae satagit persolvere, charis  
 Manibus obstrepimus, non justaque justa ferentes  
 Indoctâ heu doctam pietate lacessimus umbram.

Tu tamen affectu placido libamina nostri  
 Affectus capias, poterit meruisse videri,  
 Qui propriæ famæ impensis tua nomina famæ  
 Tradere, et ad seros voluit transferre nepotes.

## BASIA SIVE STRENA AD JACOBUM HAYUM,

EQUITEM ILLUSTRISSIMUM.

ECCE per obliqui duodena habitacula circi  
 Luciferis qui fertur equis, reduciq; rotatu  
 Inducit senium mundo Phœbeius axis,  
 Jam subit hospitium Jani, qui clave recludens  
 Sæcula, principium tribuit nascentibus annis.

Instauranda pio veniunt solennia ritu,  
 Muneribusque datis anni bona scæva futuri  
 Captanda est : etenim cedit fœlicius annus,  
 Si primum fausta transmittas alite solem.  
 Mene igitur festas deceat tempssisse Calendas,  
 Cum passim genus omne virum delubra Patulci  
 Ingreditur, supplexque pias operator ad aras ?  
 Mene igitur (prælustris Eques) tua tecta subire  
 Immunem et vacuum xenio ; cum plurima passim  
 Strena datur, Charitesq; terunt vaga limina, densis  
 Stipantes calathis venturi pignora lucri ?  
 Dii melius, tu jure tuo vel dona neganti  
 Extorquere potes ; nam blandi gratia vultus,  
 Accessus facilis, conditæ melle loquelæ,  
 Insignisque ardor bene de virtute merendi,  
 Me tibi devotum desponsavere clientem.

Nec mirum si forte meos prædatus amores,  
 Hæc spolia è nostro non grandia corde tulisti :  
 Tu potis es Regum tacitas adlambere fibras,  
 Virtutis magnete tuæ, philtroque potenti  
 Indolis ingenuæ augustos inflectere sensus.  
 Tu rectæ invidiam menti plerumque novercam  
 Conciliare vales : tu numina fœdere raro  
 Juncta simul socias, cogis committere dextras  
 Virtutem et meritum : sub quorum sospite ductu  
 Aulai tumidum spumosis fluctibus æquor  
 Fortiter invectus, non ut pars maxima, in ipso  
 Ludibrium portu ventis undæque dedisti :  
 Verum evitatis brevibus, scopulisque vadisque



Omnibus, in quæ vela solent impingere passim  
 Aulica, spes omnes tuta statione locasti :  
 Unde alios, jam securus, post reddita vota  
 Neptuno, partim fluitantes cernis in alto  
 Spemque metumque inter, partim inclementibus auris  
 Disjectos ; sic ut nec rasi vertice crines,  
 Nec digitis ungues præsecti flectere divos  
 Evaleant, luges vicina ab littoris acta.

Quando igitur sic cuncta tuo famulantur honori,  
 Quando igitur sic cuncta tuos venantur amores ;  
 Relligio mihi sit non ebservare perenni  
 Obsequio Geniumque tuum, dotesque stupendas,  
 Quarum ope regalis, jubar exorabile, vultus  
 Perpetuo usurpas, terras cum lampade Phœbus  
 Illustrat, lateri comes indivisus adhærens,  
 Et cum nox piceis mundum complectitur alis,  
 Contiguus recubans stratis, sanctoque cubili.

Præsertim cum prima dies revolubilis anni  
 Cultibus officiisque vacat, cum munere signet  
 Obsequium quicumque tuis succedere tectis  
 Molitur ; peream potius de millibus unus,  
 Millibus è multis quam solus asymbolus adsim.  
 Sed quid agam heu demens ? aut quo te munere mactem  
 Infælix ? mittamne Tagus quas volvit arenas ?  
 Aut ab Erythræo collectas littore conchas ?  
 Vasave quis pretium fecit jactura Corinthi ?  
 Non equidem tali vel censu nostra supellex  
 Luxuriat ; nec si flueret jam divite gaza,  
 Hæc animo sunt apta tuo. Quam vilia semper  
 Duxeris aurivoro quæ plebs affectat hiatu,  
 Scit Tamesis quacunque fluit ; scit Sequana ; novit  
 Ipse Tagus ; flavaque fluit pallentior unda,  
 Despectas dum sentit opes, quas devehit alveo.  
 Ergo alio juvat ire, tuo quo strena paretur  
 Par animo ; sortisque meæ non indecor : et jam  
 Occurrit satis esse mihi, si more clientum  
 Non ullo gravis ære tuo me limine sistam ;  
 Et tantum teneræ delibam basia dextræ.

Dic verum, num ingrata jacent, num vilia sordent

Quæ tibi strigosi tenuis dat trāma peculi ?  
 Non credo : est nostris etiam sua gratia donis,  
 Et proprium quoque pondus habent, quo freta ruborem  
 Deponant, sperentque sinus implere faventes.

Non ego plebei condita liquoribus oris  
 Basia promitto, non cuilibet obvia linguæ ;  
 Sed non invitæ forsā surrepta Minervæ ;  
 Sed non invitis forsā Charitumque Dianæque,  
 Atque Novensilium labris decerpta Sororum.  
 Quæ magis ut constet quam sint pretiosa, parumper  
 Si vacat, Aonios mecum spatiare per hortos ;  
 Et quo sint censenda loco mea basia, discas  
 Ex ipso, cujus sunt hæc oracula, Phœbo.

Fama est intonso dilecti basia Branchi  
 Tam placuisse Deo, caput ut puerile corona  
 Ornaret, virgaque manum decoraverit aurea :  
 Nec satis esse ratus decorasse insignibus artis,  
 Quæ populo responsa daret præsaga futuri,  
 Creditur et puero sacras statuuisse columnas,  
 Creditur et puero certamina sacra dicasse,  
 In quibus, ex omni cirrata gente vocaret  
 Victorem præco, qui sublabrare valeret  
 Doctius ; et tenera melius dare basia lingua.

O lepidum ingenium sacri certaminis, et quod  
 Spectassem potius, quam vel quos Elis agones  
 Alpei exhibuit vitreas propè fluminis undas ;  
 Vel quæ Romanus dederat spectacula Prætor ;  
 Et nisi decipior, quod tu lascive Poeta  
 Cui non mille satis, non altera mille fuerunt  
 Basia, non toties rursus superaddita mille,  
 Non modo spectasses oculo saliente, relictis  
 Et circo et scena ; sed si licuisset inire  
 Certamen, toto fieri te corpore linguam  
 Optasses, olim ut Nasum tuus ille Fabullus.

Nec tantum Phœbo placuerunt basia, si quid  
 Credimus antiquis, totum cælestis Olympi  
 Consilium tali veneramine delinitum  
 Ilico mitescit. Nam cum Gentilia passim  
 Dogmata suspensos sacro terrore tenerent

Mortales, si quis superûm fortasse catervæ  
 Extorquere aliquid voluit; non mascula thura  
 Accendit, non farre pio salienteque mica,  
 Aut extis fecit potius, quam basia fixit  
 Postibus; et calidæ redimitis cornibus aræ.

Adde quod hoc etiam sæclo pars maxima mundi  
 Sic Divos veneratur; amant namque ire per omnes  
 Sanctorum exuvias, et hianti gutturi haustu  
 Lambere prostantem cineres quæ continet urnam,  
 Qui cœtus Tiberine tuos, et sacra frequentant  
 Romulidum, varias terræ jam sparsa per oras.

Jam vero humano generi tam grata feruntur  
 Basia, deliciis istis ut cassa subinde  
 Langueat, et cœtus imitetur vita ferarum.  
 Verte oculos quocunq; lubet, seu te ista morantur  
 Tempora, seu sæcli repetes exempla prioris,  
 Invenies celebrem celebrati muneris usum.

Ille Parens Sophiæ, cujus nascentis in ore  
 Hyblæas perhibent sedem posuisse volucres,  
 Dum cœtum instrueret civilem legibus æquis,  
 Cavit, ut adversos qui se gessisset in hostes  
 Fortiter, invictoque tulisset pectore Martem,  
 Nil aliud tantæ pretium virtutis haberet,  
 Quam bene dilectæ paucissima basia formæ.

Romanos inter veteres, gentemque togatam,  
 Non fora, non circus, non limina priva potentum,  
 Non quæ prætextos capiebat Curia Patres,  
 Tempserat illecebras doctæ dare basia linguæ;  
 Turba salutantum tumidi quæ limina Regis  
 Observare togâ pluviam stillante solebat.  
 Non alium magno cultum præstabat amico:  
 Cretata ambitio fascès, sellamque curulem  
 Dum peteret, per vana levis suffragia vulgi,  
 Non aliter tanti redimebat culmen honoris,  
 Quam totas prensando tribus, quam basia dando:  
 Quin etiam quocunque loco, quocunque recessu,  
 Sive palam in triviis, seu clam sub tegmine tigni,  
 Moris erat notos sic exceptare sodales:  
 Usque adeo, ut quondam per tam promiscua passim

Basia, se totam turpis mentagra per urbem  
Sparsarit, et vili fœdarit furfure vultus.  
Induperatores ipsi (si credere fas est)  
Reddere sic soliti sic acceptare salutem :  
Testis erit magno diductum nomen Iūlo,  
Julius, ingratam qui tinxit sanguine Romam :  
Cæsus ab his, queis colla, manus, queis crura pedesque  
Obtulit, expectans soliti veneramina basi.  
Par etiam (si parva licet componere magnis)  
Par etiam casus te nobis abstulit, alma  
Alma Dei soboles, magnum Patris incrementum,  
Qui falso obtentu amplexum simulantis Iūdæ  
Traditus hostili turbæ, crudelibus umbris  
Occumbis clavisque cruci suffixus adhæres.  
Infidum et crudele genus, mansueta sed atrox  
Bellua, quæ falso cultu sic prodis amicos,  
Dispeream nisi te justis mea pagina diris  
Hic peteret, patrioque volens dmitteret Orco ;  
Basia si justo sinerent servire dolori.  
Verum apage hinc quo tu meruisti, accedite rursus  
Basia, plena mei vestro sint nectare versus.  
Vos sapitis cuneos redolet quod fusa per omnes  
Corycii pressura croci, quod veris honore  
Dives humus, molli quod sparsa opobalsama collo,  
Divitibusque comis lapsæ inter vina coronæ.  
Sed nihi nescio quis secretam gannit in aurem,  
Et Beguinarum moroso more susurrat,  
Basia turpe nefas, labris non digna pudicis,  
Incauto damnosa homini, male grata Tonanti,  
Ducere lethalis secum contagia culpæ ;  
Atque animæ æternam peccati adspargere labem.  
Vana superstitio, pietas præpostera, quæ sic  
Deludis trepidas falsa formidine mentes,  
Quære alium cui tu fugitivæ gaudia vitæ  
Legitima eripias ; cæcoque horrore fatiges :  
Non ego victuris studeo committere chartis  
Basia de lustris et olentis fæce suburræ  
Lecta, columbantis poppismata lubrica linguæ ;  
Tota sui quinto quæ tinxit nectaris haustu

Diva potens Cypri ; sed quæ sine crimine nato  
 Det genitor, mater natæ, nova nupta marito :  
 Qualia Christiadum primævi ab origine cœtus  
 Dividere inter se soliti, cum cinctus ad aras  
 Staret, et offerret cælo pia vota Sacerdos :  
 Qualia, mortales olim qui morte redemit,  
 Infantem amplexus balbo superaddidit ori :  
 Qualia constringunt certo sponsalia vinclo,  
 Et prohibent spe conjugii data munera reddi,  
 Qualia dat prolytæ doctor, dum præmia confert  
 Detriti masuri, et vigilatæ in Codice noctis :  
 His ego si coner justas addicere laudes,  
 Esse queat fraudi, sunt omnia criminis umbra  
 Tam procul, ac sacris fidei vicina sigillis.

Scilicet ut primâ spectabis basia fronte,  
 Res nihili naucique putes, et nomina vana ;  
 Sed simul in tacitas vires descenderis acri  
 Judicio, effectusque quibus sunt fœta notaris,  
 Egregium invenies vili sub cortice fructum :  
 Ut roseum Phœbi fusca sub nube nitorem.  
 Nonne hoc amplexu linguarum alterna meantum  
 Ora per et fauces, nodo constricta tenaci  
 Fœdera pangit amor ; legemque hanc dicit amori,  
 Ut quoties geminas libuit committere linguas,  
 Oscula transfundant animas per aperta sequaces,  
 Et pariter curent ut amati in corpore totus  
 Vivat amans, arque hic versa vice vivat in illo ?

Desine mirari, quisquis legis horrida tabo  
 Corpora, et infames lepræ livoribus artus  
 Indeptos priscum per basia sola vigorem :  
 Nec magis obstupeas, quisquis monumenta revolvens  
 Hebraidum, legis æthereas ad luminis oras  
 Sedibus a Stygiis revocatam corporis umbram,  
 Admotis tantum labris ad mortua labra.  
 Mystica vis teretis comitatur verbera linguae ;  
 Non minus infundens animas, quam inspirat amores,  
 Æternæque jugum fidei, et pia fœdera pacis.

O fœlix nimium fœlix, cui fata dederunt,  
 Pallenti livore procul rivalis avari,

Securos agitare dies, ac ore ab amato  
 Fercula prædari (dictum sit pace Deorum)  
 Non minus æternæ convivis prodiga vitæ;  
 Quam quæ cælestes onerant convivia mensas.

Sed quorsum tam multa (Equitum flos auree) quorsum  
 Tam plebeia tibi, qui tantum grandia curas?  
 Sit modus adveniet tempus, modo cæpta secundet  
 Æquus amor, cum tu Dominæ de fronte legendo  
 Lilia, vellendo è labris violasque rosasque,  
 Experire meæ quam sint veracia Musæ  
 Dogmata, cum dices, (nisi me mens credula fallit)  
 Dispeream meus ille olim nisi vera canebat  
 Aytonus; justas habeant sua basia laudes.  
 Interea dextræ ista tuæ ceu supplicis arrham  
 Obsequii Aytonum primis fixisse Calendis  
 Sit satis, et totum vitæ cum sanguine fundum  
 Addixisse tibi parvæ sub imagine glebæ.

Et quandoque tibi croceo velatus amictu  
 Arridebit Hymen, cum pronuba Juno favebit,  
 Non sine honore tuas patiar sordescere tædas;  
 Sed liber, laxisque ruens in carmen habenis,  
 Arcessam summo Phœbum de vertice Pindi;  
 Inque tuas laudes, et charæ encomia nuptæ,  
 Expromam totas Permessi prodigus undas.

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LESSUS IN FUNERE RAPHAELIS THOREI MEDICI  
 ET POETÆ PRÆSTANTISSIMI, LONDINI  
 PESTE EXINCTI.

TENE Thori obscuris clarum caput abdidit umbris  
 Pestiferi vis sæva mali? non absque querelæ  
 Et tanto invidiæ cumulo sævire profanam  
 In plebem, et solo magnos abdomine Patres  
 Cæca lues poterat? Cur tu pars maxima cladis?  
 Cur de te tantum licuit? te mixime vatam  
 Te medici Coriphæe gregis? Certe illa nocentem  
 Plus fecit se morte tuâ quam mille potentum  
 Funeribus, quam si totam grassante veneni

Profluvio ignavis vacuasset civibus urbem.  
 Amusæ levis est turbæ jactura, resurgit  
 Absque labore filix, loliumque renascitur agris  
 Semine non jacto ; sed si Narcissus ab imâ  
 Evulsus radice fuit, si frigore adusta  
 Vel rosa, vel violæ, vel mollis amaracus, ægre  
 Nec nisi post multum veniunt exculta laborem.

Quæ nobis nunc gleba dabit, quæ cura secundum  
 Substituēt Thorium ? potis est natura beare  
 Ingenio, Genium ingenio superaddere curtas  
 Naturæ transcendit opes, Heroica virtus  
 Raro habet hæredem, doctos dat quælibet ætas,  
 Non quævis Thorios, concurrant sydera oportet  
 Omnia, conjunctis pariant ut viribus unum  
 Vel Medicum insignem, vel plenum Numine vatem.  
 At Thorius fuerat tam sælix, unus utrâque  
 Ut pariter foret arte potens, promittere vitam.  
 Pæonia, Aonia poterat promittere famam.

Rarus honos paucisque datus producere vitæ  
 Fila vel invitis (si fas est dicere) Parcis :  
 Et mage rarus honos, Parcam exarmare secantem  
 Cum medicina nequit, pereuntis stamina vitæ  
 Supplere æterno famæ subtemine, et istam  
 Quæ pars est melior, vivendi et causa, perennem  
 Transferre in telam, quam nec livoris iniqui  
 Stigmata, nec possunt senii corrodere dentes.

Hoc aliis, hoc ipse sibi præstare valebat  
 Versipotens Thorius : quod erat mortale sub umbras  
 Ante diem si permisit descendere, fati  
 Crimen erat, non artis iners vel culpa, vel error  
 Artificis, quem Naturæ non ulla latebant  
 Arcana ; herbarum cunctas cum nomine vires  
 Noverat, omnigenum rixas et fœdera rerum,  
 Quicquid et ad Medicos Chymicus calor excedit usus :  
 Quin etiam ætheriis quicquid descripta manipulis  
 Lumina mortales influxu operantur in artus.

Vos animæ, vos ô animæ, quas ille minaci  
 Eripuit monstro cum grassaretur Erynnis,  
 Spargeret et totam virus ferale per urbem,

Vos testor, meministis enim et memorare potestis,  
Quam bene de vobis meruit, quam fortiter ægris  
Adfuit, et quoties Libitinam elusit hiantem.

Non Cous plus ipse senex devinxit Athena  
Afflictas contage gravi, et lethalibus auris,  
Unde gravem tulit ex auro radiante coronam,  
Quam Thorius Luddi dictos de nomine cives :  
Et cunctatur adhuc tanto defuncta periclo  
Reddere protractæ statuam pro numere vitæ  
Plumbea gens? certè talem si prisca tulissent  
Sæcla virum, non effigies, satis una fuisset,  
Non umbris satis ullus honos, mortalibus addi  
Consuetus, certe Thorius superaddita bustis  
Templa et fumantes habuisset odoribus aras.

Sed sæcli vitio nec sint sua præmia vivis  
Nec morte ereptis, jaceat sine vindice virtus :  
Non ingrata tamen penitus nostra audiet ætas  
Chare Thori, non hæc omnes infamia tanget :  
Nos tibi, queis tecum communia sacra fuerunt,  
Symmystæ Aonii, tibi nos æterna laborum  
Præmia, mansuras et consecrabimus aras,  
Non structas mortali opera, sed Numinis arte,  
Quo plenum tibi pectus erat, dum ingente cothurno  
Aut Magnum infami trajectum pectora ferro,  
Ereptum aut nobis crudeli funere Daphnin,  
Aut caneres læti ludens miracula fumi.

Ipse ego de tanto minimus grege carmen ad aras  
Appendam, leget appensum sic forte viator :  
Nil opus est hospes bijuges exquirere clivos,  
Ut Phœbi afflatum captes per somnia ; Divus  
Hic colitur Thorius, totum qui pectore toto  
Et Phœbum et Phœbi natum congesserat, istas  
Tantum aras ornare velis violisque rosisque,  
Et Maneis placare pios : his functus abibis  
Et medicus fœlix, et anhelus Apolline vates.

---



## CARINA CARO.

HÆC Caro Carina suo mandata salutem  
 Mittere quam possit, non habet ipsa-sibi :  
 Nec scribit mandata, acri custodia cura  
 Excubat, et calamo verba notata vetat.  
 Quæ custos prohibere nequit, suspiria, planctus,  
 Et lachrymæ, his curas exonerare juvat.  
 Quis scit an hæc Tamesis querulæ qua suspicit ædes  
 Audiet, et pronis dum petit æquor aquis,  
 Deferat ad turrim? Tu quanvis carcere clausus  
 Aure reor patula murmura nota bibes.  
 Sed vereor ne non agnoscas; scilicet ad te  
 A nobis isthæc prima querela venit.  
 Hactenus exortes curarum viximus una,  
 Vitaque lætitiæ nil nisi scena fuit,  
 Nunc qualis tragicum solet infamare theatrum,  
 Gaudia præcipiti turbine versa ruunt.  
 Fortunæ tam fluxa fides; tu raptus ab aulæ  
 Luce, tenebrosoi carceris antra subis,  
 Ipsa ferens utero, custodi tradita, culpæ  
 Conscia, consiliis sola relictæ meis  
 Mille modis pereor. Jam jam Lucina minatur,  
 Tormina mox judex asperiora parat.  
 Functæ puerperii fuero si forte periclo,  
 Carnificis vix est effugienda manus.  
 Fac etiam effugiam, poterone avertere labem,  
 Quæ famæ et genti vivet inusta meæ?  
 O possem vel morte; mihi quodcunque minatur  
 Exitio Nemesis non satianda meo;  
 Despicere penitus, lucrique in parte locarem,  
 Mors tua morte meâ si redimenda foret:  
 Nec sola Alcestis fuerit cantata poetis,  
 Quod potuit chari fata subire viri;  
 Sed mala quæ miseros nunquam præsagia fallunt,  
 Nescio quæ de te dira timere jubent.  
 Vide ego cum multa stipata satellite cymba  
 Ad turrim spoliis iret onusta meis.

Et nimis, heu ! memini cymbam, quæ forte tegebat  
 Stragula, sanguineo tincta colore fuit.  
 Pulla sequebatur comitum per inane volantum  
 Turba, cadaveribus qualis adesse solet.  
 Dum crocitat, dum raucisono secat aëra planctu,  
 Remigibus visum est triste celeusma dari.  
 Adde quod in somnis hæc omnia firmat imago,  
 Quæ capite orbatum te mihi sæpe refert.  
 Vana precor fuerint, et Thusca scientia fallax,  
 Nec sit in omnibus auguriisve fides :  
 Tu nihilo secius nostris divelleris ulnis,  
 Cogeris et letho deteriora pati.  
 Scilicet est gravius letho, Pæana canente  
 Invidia, instabiles sortis obire vices.  
 Utque semel dicam, famosis sontibus addi  
 Crimina, quos justo carcere nota tenent,  
 Dedecus est omni letho crudelius, et quod  
 Vix unquam è fastis deleat ulla dies.  
 Tene per augustam solitum dominarier aulam,  
 Dividere et famulis atria tota tuis,  
 Nunc crypta squalente premi ! nec sole nec aura  
 Nunc nisi per rimas semimicante frui !  
 Ah durus quicumque premit te finibus arctis,  
 Qui neget hospitio libera tecta tuo.  
 Sæviat immitis rapido moderamine custos  
 In quos est pietas quam minime esse pium.  
 Tu neque regalem voluisti excindere stirpem,  
 Nec dare sulphureo sceptræ cremanda rogo.  
 Objicitur fidei violatæ crimen amico,  
 Et cæde insontis fax hymeneia calens.  
 Nescio quam verax fuerit qui detulit index,  
 Nescio qua peraget te ratione reum.  
 Hoc scio quod perperi scelus obstricante Locusta,  
 Illa dedit faciles ad mea vota vias.  
 Jussit ut argento condirem crustula vivo,  
 Arsenicum docuit dissimulare sale.  
 Omnia perfeci miseræ dictata magistræ,  
 Ivit et invisum Ditis ad antra caput.

Quid facerem, nostro remoras nectebat amor  
 Ausus et immeritam lædere mille modis.  
 Si dedit ultrices atrox injuriæ pœnas,  
 Non mea sed justî culpa doloris erit.  
 Toxica si data sunt, excuset sœmina factum,  
 Toxica pro tellis sexus inermis habet.  
 Denique quicquid erat, magni fuit error amoris,  
 Et facile absolvit crimine quisquis amat.  
 Dant veniam cæco populorum jura furori,  
 Heu nimis est species nota furoris amor.  
 Sed nihil excuso, crimen non deprecor, immo  
 Nec pœnam, fas sit morte piare scelus.  
 Fas mihi sit quæcunque parat tibi vulnera livor,  
 (Qui sequitur claros corpus ut umbra viros)  
 Invidia remove me, te sospite possem  
 Nec cultum ut decuit propitiare Jovem.  
 Sic mihi sive dabit finem Lucina malorum,  
 Seu mage quod timeo, judicis urna, fero.  
 Læta tamen furvas descendam victima ad umbras  
 Et Caro emoriar fida Carina viro.

---

DE PRODITIONE PULVEREA, QUÆ INCIDIT IN  
 DIEM MARTIS.

HEU Marti sacrata dies, quam pene fuisti  
 Sacra Jovi inferno et cæcis devota tenebris!  
 Sanguineo torrente suis te inscribere fastis  
 Cerberus et Stygiæ properabat cura catervæ,  
 Sed Superi vetuere nefas. Tu primus Apollo  
 Infandas scelerum fraudes, deposta latebris  
 Sulphura, et ardenti glomeranda incendia ligno  
 Sensisti, et roseos potius tenebrescere vultus  
 Passus es insoliti marcentes tabe laboris,  
 Quam si magna suo viduata Britannia Phœbo  
 In tenebras totum traxisset funditus orbem.  
 Nec tibi cura minor nocturna Diana Dianæ  
 Saxonidis fuerat, te cæca silentia noctis,

Quæ sceleri indictam præcessit proxima lucem,  
 Destituisse ferunt flamma ductrice, et opaci  
 Pensa ministerii facibus mandasse cruentis,  
 Quæ totum per inane vagæ flammante ruboris  
 Prodigio eriperent Arctoam protenus Annam  
 Cæde, cruore, rogis. Sed quo portenta Deorum  
 Consiliis inscripta polo, si cæca futuri  
 Mens hominum nescit superos audire vocantes,  
 Si visis tam parca fides? Scelerata nocentum  
 Perfidia admissas fraudi laxabat habenas,  
 Et coeptum peragebat opus, cum Martis ab alto  
 Cura vigil propius, terras despexit inerteis,  
 Henricique memor, cujus victricibus armis  
 Deberi Imperium mundi fatale sciebat,  
 Non tulit ulterius, sed dedignatus amores  
 Deliciasque suas in aperta pericula ferri,  
 Luce sibi sacra roseis ubi vecta quadrigis  
 Venit agens Aurora diem, molimina cuncta  
 Criminis infandi dedit innotescere mundo.  
 I nunc et superos infami fraude lacesse  
 Cerbere, et his meritis inde sperare salutem.

---

GRATIARUM ACTIO, CUM IN PRIVATUM  
 CUBICULUM ADMITTERETUR.

Post malè civili servatum more pudorem,  
 Legitimosque dies et tempora lapsa loquendi  
 Sera quidem penito sed prompta è pectoris antro  
 Gratia Regalem gestit pensare favorem.  
 Mirum equidem infami quisquam sua labra reatu  
 Damnet, et aeterno traducat crimine nomen  
 Heu nimis ingrati. Decimum jam Phœbus ab undis  
 Advexit temone diem, totiesque sub undas  
 Demersit roseo flexos temone jugaleis,  
 Ex quo voce tua Rex augustissime Regum  
 Copia facta mihi primum calcare cubile,  
 Obtutus captare sacros, bibere aure loquelas,  
 Doctaque flexanimæ gustare oracula linguæ,

Et tamen haud ullo grati se pectoris ardor  
 Prodidit indicio, non officiosa rependit  
 Pro tantis vel verba bonis : tantum abfuit cheu,  
 Ut quo par fuerat gestu, quo more decebat  
 Adrepens genibus sacris vestigia vultu  
 Verreret et tactæ libaret basia dextræ.

Siccine semper erit ? sic me sic semper habebit  
 Torpor, et exsensi tabes ignava veteri ?  
 Sic semper teneræ pudibunda modestia frontis  
 Legibus officii linguam parere vetabit ?  
 Absit, ab expertis damnum torporis Amyclis  
 Non colere obnixè nocturna silentia discat  
 Muta Charis, pietas linguæ jam vincula solvat,  
 Ne si fortè sacro grates quas debet honori  
 Subtrahat, exurgat culpæ Lex Julia vindex,  
 Principis et læsa de majestate queratur.

Ergo tibi quod me famulum tam prona voluntas  
 Ascivit, musasque meas erroribus actas  
 Innumeris tandem optato requiescere portu  
 Jusserit Augustæ blanda indulgentia curæ,  
 En tibi quas animo grateis, quæ vota repono.

Di te majorem faciant ter maxime Princeps,  
 Nam melior non esse potes, respondeat aura  
 Fortunæ meritisque tuis votisque tuorum,  
 Ut tu respondes precibus, votisque tuorum,  
 Justitiæ pacisque pater, tibi serviat orbis  
 Non aliter quàm tu Superis : nisi serus Olympum  
 Non adeas, et cum repetent te sæcula cæli  
 Templâ fatiscentem sub pondere honoris et ævi,  
 Tunc fama factisque tuis super æthera vectus  
 Innumera innumero transmittas sceptrâ nepoti.

---

#### AULÆ VALEDICIT.

AULA vale, quid me ludis fallacibus umbris,  
 Quid mentem amenti credulitate necas ?  
 Jam bis frigoribus gelidis astricta quievit  
 Terra per hibernas desidiosa moras :

Bis Zephyro tepefacta novo pia viscera partu  
Solvit, et in vernas luxuriavit opes :  
Ex quo grande moræ pretium sperare jubebas,  
Fataque non meritis inferiora meis.  
At nunc nil misero restat nisi turba dolorum,  
Post infælicis tædia longa moræ.  
Fugerunt anni celeres, occasio velox  
Terga dedit versis non revocanda comis.  
Quodque magis doleo, tristes fugere Camœnæ,  
Et desolatis rebus adesse negant.  
Quas ego sum toties faciles expertus et æquas,  
Nunc mihi difficiles sors minus æqua facit.  
Usque adeo ut cum jam redeant solennia Jani,  
Tempus et assueto munera more petat :  
Vix post discerptos centenis morsibus ungues  
Unus ab exhausto pectore versus eat.  
Adde, quod et justæ geminat momenta querelæ,  
Teque facit certi criminis aula ream.  
Qui fueram plausu veniens exceptus amico,  
Sibila nunc in me naris adunca jacit.  
Scilicet ut nunc sunt mores, sordescere virtus  
Incipit, et vili vilior esse luto,  
Ni comes assistens vultu fortuna faventi,  
Sublimem in celsa conditione locet.  
Scilicet ut nunc sunt mores, famuletur oportet  
Et simulet virtus dissimuletque simul,  
Aut lacera in triviis discurrat, et obsita pannis  
Emendicatos ingerat ore cibos.  
Si qua est conditio melior virtutis, opimas  
Magnatum ad mensas macra analecta legit.  
Me tamen haud unquam recto de tramite flectet  
Aut lucri, aut nimii cæcus honoris amor.  
Sed licet obscurus mediaque inhonoris in aula,  
Virtutem ut colui, quæ licet usque colam.  
Et quandoque mihi proprio componere vitam  
Arbitrio forsân fata benigna dabunt ;  
Privatus vivam potius non cognitus aulæ,  
Surget ubi obscuro pergula parva loco.  
Et Phæbo Phæbique vacans ardoribus, omni

Transmittam ævacuos ambitione dies :  
 Quam scelerum auspicio mistus primoribus aulæ  
 Inque auro inque ostro conspiciendus eam.  
 Interea tu testis eris, tu cujus in ore  
 Suada, manu Mavors, corde Minerva sedet,  
 Me quoscunque dies fluxi et quantumlibet ævi  
 Subduxit studiis hactenus aula meis,  
 Ægro ferre animo, non quod lactarit inanem  
 Spe sterili ingratiæ messis acerba moræ :  
 Sed quia non licuit de te bene posse mereri,  
 In me qui tanti plenus amoris eras.  
 Sed quia non licuit per iniquæ incommoda sortis  
 Grati animi firmam conciliare fidem :  
 Erga illum qui flos equitum, sol aureus aulæ  
 Regis amor, Patriæ delitiumque suæ,  
 Tam placido semper me aspexit lumine, et unus  
 Musarum in vernas officiosus erat.

---

#### COMPARATIO CONDITIONIS SUÆ CUM VERE.

CUNCTA virent viresque novas à vere resumunt,  
 Deciduis languet spes mea sola comis.  
 Ne tamen omnino discors à vere recedam ;  
 Cura mea æterno germine fœta viret.  
 En unquam transcribit hyems sua tempora veri.  
 En unquam brumæ ver sua regna dabit.  
 Spes mea, jam tepidi redeunt cum tempora veris,  
 Aut exspectata fertilitate viret :  
 Aut dolor æternum fundens per membra rigorem  
 Ocyus hoc ævi ver breve claude mei.

---

#### PRO NUPTIIS CARI ET CARINÆ.

LEGITIMAS quicumque audes traducere tædas,  
 Disce verecundo parcius ore loqui.  
 Ullane jura vetant nuptam bis quatuor annos,  
 Quæ gelido jacuit sicca silensque toro,  
 Deserere imbelles thalamos, mollemque maritum,  
 Et dare semiviri regna tenenda viro ?  
 Crede mihi, jus est Naturæ abdicere fundum  
 Agricolæ, qui nil quo fodiatur habet.

## IN RUMOREM DE CÆDE REGIS JACOBI.

UNDE pavescentem crebrescit fama pur urbem  
 Regale insidiis succubuisse caput?  
 Hancne fecit livor, qui somnia fingit ut optat,  
 Præciens animo gaudia falsa suo?  
 An potius populi pius et laudabilis error,  
 Qui, si absit quod amat, jam periisse putat?  
 Si livor, princeps isthinc tibi disce cavere,  
 Si favor, hinc populo disce cavere tuo.

## DE REBUS BOHEMICIS.

DUM gener infaustis tentat temerarius ausis  
 Eripere Austriaco colla Bohema jugo;  
 Consilium damnas Jacobo Britannice, et Orbis  
 Ne te consilii participem esse putet;  
 Permittis generum fati, causæque labanti  
 Suppetias solâ vel prece ferre negas.  
 Quin etiam laribus pulsos natamque nepotesque,  
 Aspicias immotis et sine rore genis.  
 Justitiæ ô mirum specimen! de te tamen orbis  
 Quid musset, liceat dicere pace tua.  
 Hac ratione potes justus Rex fortè videri,  
 Sed non crudelis non potes esse pater.

AD JACOBUM ÆGROTANTEM CUM COMETA  
 APPARUIT ANTE MORTEM REGINÆ.

VIDIT ut in cælo metuendum Regibus astrum  
 Anna, repentino corruiet ægra metu.  
 Non tamen ægra sui formidine corruiet, omnis  
 Pro charo fuerat cura metusque viro.  
 Tene inquit vir chare suo petit igne Cometes,  
 Nec fax placari vilius ista potest?  
 An nihil offensi satiabit Numinis iram,  
 Publica ni pereat te pereunte salus?  
 Dī melius, liceat potius tua fata subire,  
 Proque viro conjunx victima læta litet.



Alcestis potuit morituri fata mariti  
 Morte sua ad longos continuare dies.  
 Hanc laudem non sola feret. Vix dixerat, ecce  
 Lurida tabisicus corripit ossa dolor,  
 Et moritur. Quid nunc metuas Rex maxime, plenum  
 Nonne piamentum sideris Anna fuit?

---

EXPOSTULATIO CUM JACOBO REGE.

ERGO etiam immeritos ditant ubi præmia largâ  
 Sparsa manu, solus præmia nulla feram?  
 Ergo etiam incautis veniunt ubi munera sortis.  
 Lapsa sinu; vacuus munere solus ero?  
 Heu quâ labe reo, quo sonti crimine sors est  
 Blanda parens aliis, dura noverca mihi!  
 Certe ego nil feci quod nunc atrocius audit,  
 Aut Majestatis crimen olere solet.  
 Non damam aut cervum nocturnâ fraude peremi,  
 Sed colui sacrum ceu tibi Phœbe pecus.  
 Non hausi infames fumos quos India mittit,  
 Gutturæque attractos reddere nare docet.  
 Non mihi de Catharo melior sententia, quam de  
 Papicola, ob maculas sordet uterque suas.  
 Sed si Pierias coluisse impensius artes,  
 Crimen apud sciolos degeneresque fuit:  
 Si personato nescire obducere fuco  
 Verba, sed ingenuo quidlibet ore loqui:  
 Si nolle obsequio servili fingere frontem,  
 Sed simulare nihil, dissimulare nihil:  
 Hæc si crimen habent, fateor pejora merenti  
 Sors mihi blanda parens nulla noverca fuit.

---

DE DUPLICI BUCKINGAMII PRÆFECTURA.

BUCKINGAMUS Io maris est præfectus, et idem  
 Qui dominatur equis, jam dominatur aquis.  
 Sic inter Superos tumidas qui temperat undas  
 Neptunus, celeres et moderatur equos.  
 Et cuiquam nunc displiceat geminata potestas,  
 Exemplum Superis cum placuisse videt.

## AD REGEM JACOBUM.

CARMINA quæ scripsi, laudasti maxime Princeps ;  
Et fuerant genio non malè grata tuo.  
Sed laus eripuit mercedem maxime Princeps,  
Heu mihi sunt genio quàm malè grata meo !

---

## EPITAPHIUM JOANNIS MORAVI.

Huc quicumque venis, disce hoc ex marmore quam sit  
Invida virtuti sors et iniqua bonis.  
Moravius nulli Musis aut Marte secundus,  
Post varios casus hâc requiescit humo.  
Primum aulæ malefida fides, mox carceris horror,  
Tandem hydrops misero fata suprema tulit.  
Hydrops crudelis, carcer crudelior, aula  
Sæva hydrope magis, carcere sæva magis ;  
Unica mors clemens, quæ hydropis, carceris, aulæ,  
Tot simul et tantas finiit una cruces.

---

## EPITAPHIUM ROBERTI JUNII.

JUNIUS hic situs est, nullo plus funere Musæ,  
Aut charites madidis condoluere genis.  
Jam docti periere sales, jam Musa, lepores  
Hellados et Latii fundere sueta, filet.  
Nec quicquam aut Solymas lustrasse aut marmora Romæ,  
Profuit, aut si quæ rudera Memphis habet.  
Scilicet immensum cum per lustraveris orbem,  
In patriam reditus non nisi morte patet.

---

CUJUSDAM GALLI IN LAUDEM PUELLÆ  
AURELIANÆ.

RUSTICA sum, sed plena Deo, sed pectore forti,  
Sed micat eximio regius ore decor.

ANAG

Castra virūm sed casta sequor, duce Virgine fatum  
 Vertitur, et cantant virginis arma viri.  
 Redditus hoc sceptris testabere Galle paternis,  
 Tuque nec id pulsus sæve Britanne neges.  
 Quod vici, pereor, flammas cur objicis Angle?  
 Et nos Herculeæ scandimus astra via.

---

RESPONSIO AYTONI.

FŒMINZOS quid Galle juvat jactare triumphos?  
 Vix est fœminea digna Joanna fide.  
 Hæccine plena Deo, magicis quæ freta susurris  
 Visa fuit stultis nomen habere Dei?  
 Quam perminxerunt calones atque bubulci,  
 Hæccine casta virūm castra sequuta fuit?  
 Hinc viri, quos fœminei præpostera virtus  
 Exempli, et solus traxit ad arma pudor?  
 Mutavit fatum Nemesis, non fœmina vindex,  
 Nec nisi semiviri fœminea arma canunt.  
 Lauda ergo ad libitum flammas, non invidet Anglus  
 Herculeam Gallo qua petat astra viam.

---

ALIA RESPONSIO EJUSDEM.

Si quæ de Jana jactantur, falsa fuerunt;  
 Quis pudor est falsis velle parare fidem?  
 Si quæ de Jana jactantur, vera fuerunt;  
 Quis furor alterius laude nocere sibi?  
 Semper in opprobrium Galli Lotharinga canetur,  
 Et gemino infamis crimine Gallus erit.  
 Ignavus, qui sceptra colo debere fatetur:  
 Ingratus, non dans debita sceptra colo.

---

ANAGRAMMA, RICHARDUS WESTONUS, VIR DURUS  
 AC HONESTUS.

DURUS es ac (nomen nisi decipit) es vir honestus,  
 Hic pretio flecti non volet, ille prece.  
 Duritiem emollit generosi dulcis honesti  
 Temperies, ulli nec sinit esse gravem.

Durities ut spina rosam sic armat honestum,  
 Utque saburra ratem, sic stabilire solet.  
 Poscit honestatem fisci tibi credita cura,  
 Duritiem regni cætera cura petit.  
 Aut his subsidiis, aut nullis dyscola vinces  
 Tempora, durus eas ac vir honestus eas.

IN OBITUM DUCIS BUCKINGAMII A FILTONO  
 CULTRO EXTINGUÏ, 1628.

DUM classe amissos reparatum is classe triumphos,  
 Magnaque stat flatu vela datura tuo ;  
 Fit tibi pro lauro merces, Dux magne, cupressus,  
 Classis et officium cymba Charontis obit.  
 Scilicet humanam vultu mentita figuram  
 Invidia eximiis semper iniqua viris,  
 In te audet cultro infami, quod nulla tacere,  
 Et quod nulla velint sæcla probare scelus.  
 Dumque Dei obtendit nutum, patriæque salutem.  
 Vindictæ mactat sacra cruenta suæ.  
 Sed sceleri semper Deus est sua dira cupido,  
 Publicaque obtendit, dum sua damna gemit.  
 Nam nihil est commune Deo cum sanguine, nullum  
 Placari numen cædis odore velit.  
 Afflavit parricidam furialis Erynnis,  
 Armavitque truem sæva Megæra manum.  
 Quicquid eras, quicquid querula de plebe fuisti  
 Promeritus, non sic percutiendus eras.  
 Non tua cujusquam rubuit vel dextera letho,  
 Linguave, apud Reges grata, potens duos.  
 Officiis multos obstrinxisti, injuria paucos  
 Attigit, aut si quos, absque cruore fuit.  
 Si tua credulitas non succubisset ineptis  
 Consiliis, Regni dum grave pondus obis,  
 Si tibi quanta fides, constantia tanta fuisset,  
 Si sors fortunæ fida ministra tuæ ;  
 Par animo et factis summis Heroibus isses,  
 Nec possit de te terra Britanna queri.  
 Nunc quia pauca domi non sunt benè gesta, forisque ;

Paucula successus non habuere suos :  
 Creditur esse dolus, fuerat quæ culpa : putatur  
 Esse scelus, lapsus qui juvenilis erat.  
 Rumpatur livor, dicam quod sentio, certè  
 Imprudens potius quàm sceleratus eras.  
 Ætonum si Ætona ambit, si Ætonus et illam,  
 Quis malè disjungat quos benè jungit amor ?  
 Nominibus si fata latent, affinia amantum  
 Nomina, quis nutum Numinis esse neget ?  
 Maxima Rex fatis accede, beabis amantes,  
 Ætono Ætonæ si paranympus eris.

Per Musas te Ætona rogat, Rex optime, ut illas  
 Splendori antiquo restituisse velis.  
 Per Musas quoque te supplex Ætonus adorat,  
 Ut Musis illum restituisse velis.  
 Utrumque efficies, unum si feceris, hoc est,  
 Ætonum Ætonæ si sociare velis.

## NOTES IN THE HISTORY OF SIR JEROME ALEXANDER,

*Second Justice of the Court of Common Pleas, and Founder of the Alexander  
Library, Trinity College, Dublin.*

BY THE REV. CHARLES ROGERS, LL.D., F.S.A. Scot.,  
*Historiographer to the Historical Society.*

THE Will of Sir Jerome Alexander, a parchment transcript of which is preserved in the Chief Probate Office, Dublin, is a document of more than ordinary interest; even with its cumbrous repetitions we owe no apology for producing it in full:—

“In the name of God Amen. I, Sr Jerome Alexander of the City of Dublin, one of the unprofitable servants of Almighty God, being of a perfect sound disposing memory, praised bee God, this three and twentieth day of March in the yeare of the Raigne of our Sovereigne Lord Charles the Second of that name by the grace of God of England, Scotland, Fraunce and Ireland King Defender of the Faith &c. the two and twentieth, and hereby renounceing and admitting and declareing all former Wills and Testaments by mee at any time heretofore made to bee utterly void & of none effect, doe declare this to bee my last true Will and Testament in manner & form following and doe now soe declare it to bee. And first of all I resigne my soul into the hands of Jesus Christ my blessed Saviour and Redeemer, confidently trusting and assuring my selfe in by and through his onely meritts and mediation to receive life everlasting; and I doe hereby profess my selfe to dye as I have allways lived, a sonne of the Church of England, which is the most absolute and best forme of government in all the world, ’twere to bee heartily wished that it were practised in all the Churches of Christendome, and my body I commend unto the earth from whence it came to receive decent and comely buryall, without any greate pompe or ceremonies whatsoever, not doubting but at the last day it shall bee raised againe and united unto my soule with it for to partake of immortall and everlasting happiness. And as concerning my worldly estate wherewith the Lord hath blessed me, and hee onely hath bestowed it upon mee against the opposition of many greate and potent enemies, which

have sought to destroy mee in my body, goods and good name upon my first entering upon businesse in the world, but I may truly say the Lord hath delivered mee from the cruelty of those that were too mighty for mee ; hee broke theire netts and I was delivered. And as God hath beene unto mee a Father & Deliverer soe I have not beene wanting to the best of my power to help others in theire distresse, and in the whole course of my life could never be drawne to serve particular interests against the publicke, which I conceive have beene the chiefe occasion of my troubles and of those sufferings which I have lien under. ITEM I give and bequeath unto John Lanham, Humphrey Lanham, Mary Lanham, and Rose Lanham, children of my daughter Jeromina Lanham to each of them one hundred pounds a peece, if they shall be respectively living at the day of my decease to bee paid to the said John and Humphrey Lanham within one year after my decease. And to be paid unto the said Mary and Rose Lanham at the dayes of theire respective marriages, if they shall first have obtained the good will of my daughter Elizabeth and her consent thereunto first beforehand, or otherwise my bequest to them herein as aforesaid made shall bee void and of none effect, or if either or any of the aforesaid children shall happen to dye and departe this life before the respective dayes of payment theire severall legacies herein aforesaid shall come to bee paid that then such of my legacies to be saved unto the Executrix of this my last Will and Testament and shee to bee absolutely free from the payment of them. ITEM I will and bequeath unto Elizabeth Browne, widdow one other of the daughters of the said Jeromina Lanham the sume of two hundred pounds, which my Executrix hereafter named shall for her use put the same out at interest thereof dureing tearme of her life, and after her decease I will and devise the same unto Elizabeth Browne, the younger daughter of the said Elizabeth Browne the elder to dispose of as shee shall think fitt when she shall attaine unto the age of fiteene yeares if shee should live soe long, but if she should departe this life before shee shall attaine unto the said age, or if the said Elizabeth Browne the elder or Elizabeth Browne the younger shall marry or take any man or men to husband without the consent of my said Executrix first had and obtained in writing under her hand and seale in case she shall be then living then and in such case these legacies to them given and bequeathed as aforesaid to be utterly void. ITEM I will and bequeath unto my

grandchild Rankin Mallech and to Ann his sister and to Alexander & Elizabeth Gorges the sonnes and daughters of my daughter Rose Gorges to each of them respectively five pounds a peece to buy them things for to weare in my remembrance. ITEM I give and bequeath unto my good friend Doctor Jones, Bishop of Kildare, my Pocket Tweesers which I bought at Brussells if he shall be living at the day of my decease. ITEM I give and bequeath unto Mr<sup>s</sup> Jones, the said Bishop's wife a case of Spectacles that is wrought with gold and the spectacles therein contained for a remembrance of her kindness shown unto mee and my family provided she shall bee then living at the time of my decease. ITEM I give unto the Provost of the Colledge if hee shall be liveing at the day of my decease that my cane which is headed with hatcht gold and have a paire of Tweesers on the top of it to weare for my remembrance,—I intend Mr<sup>r</sup> Seele hereby and noe other to have it. ITEM I give unto Thomas Cooper, the elder, the sume of ten pounds for to bee paid him within one yeare after my decease in case hee shall bee then living, or eise to be saved to my Executrix. ITEM I give & bequeath unto Thomas Cooper the younger ten pounds if hee shall bee liveing at the day of my decease or otherwise not. ITEM I give & bequeath unto Richard Shelly my servant the sume of ten pounds if hee shall bee liveing at the day of my decease—these three last mentioned sumes of ten pounds to be paid within one yeare after my decease in case as aforesaid. ITEM I give and bequeath unto my daughter Rose Gorges the sume of fifty pounds wherewith to buy her a ringe to weare for my sake together with fifty pounds more to buy her and her husband and children mournings if she shall bee liveing at the day of my decease, or soe many of them as shall bee then living, provided always she give my Executrix, herein named a generall release of all demands which shee may pretend to my estate real or personall. ITEM I give unto Launcellot Johnson the Lawyer, to whom I have been much beholding, that Brazill Stick of mine with the silver head and my sword or hatcht rapier with which his Matie was pleased to confer upon mee the honour of Knighthood and ten pounds in money to buy him a ring to weare for my sake. ITEM I give and bequeath to every of my servants men and women that shall be dwelling with mee at the time of my decease a yeares wages over and above their severall salleries that then shall become due unto them for their respective services & employments. ITEM

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forasmuch as I promised unto George Thomason of London, stationer deceased, to give unto his daughter, my God-daughter Grace Thomason, the sum of one hundred pounds in case the bargain of land which I bought of him heere in Ireland should prove a good bargain, and albeit I certainly declare that it hath proved to me a very hard bargain by reason of the severall suites I have had to recover but parte of it as yett and other disbursements and expenses which I have beene at about the same that I am perswaded that I am rather a looser than a gainer by it, yet for the love and respect which I bore unto the said George Thomason in his life time being my intimate friend I doe give and bequeath unto the said Grace Thomason one hundred pounds if shee shall be liveing at the day of my decease to be paide within one yeare next after my decease. ITEM I will devise & bequeath unto Dorothy Whitaker wife of Henry Whitaker of London, the sume of one hundred pounds to bee paid within one yeare next after my decease, provided allwayes and upon condition that shee procure Mr. Henry Hatley of London stationer her son-in-law first to deliver up and out unto my Executrix hereafter named an obligation or writeing obligatory, wherein I stand bounden unto the said Henry Hatley in trust for the use of the said Dorothy Whitaker conditioned for the payment of five pounds sterling yearly unto the said Dorothy Whitaker during tearme of his naturall life and fifty pounds sterling to whom shee shall by her last Will & Testament devise the same attested and proved by two credible witnesses, which bond being first delivered up to my Executrix for to bee cancelled, then the said hundred pounds to be paid in manner and forme aforesaid. ITEM whereas I am to have certaine lands in reprise set out by his Maj<sup>ties</sup> late Comm<sup>s</sup> of Claims but not yet settled and secured out of which the same being three hundred thirty nine acres nineteen perches that I am deficient in all and Christopher Munich his adventure being but two hundred a third part of which is to be cut off according to the severall Acts of Parliam<sup>t</sup> in that case made and provided and retrenched which together with all the coste and charges that I have been at and expended in suites of law & otherwise for recovery of the same and which hath beene merely gained by my industry and the assistance of my friends, I doe now declare that it hath cost mee more than his adventure is worth for recovery of the same into that condition in which it now stands. I am yet daily threatened with more troubles and suites about the same

yet when the same shall be clearly settled and past to me by Letters Pattents amongst the rest of my reprise Lands, which are yet undistinguished, if yet any man or other person or persons shall hereafter appeare legally authorized & empowered by law to demande anything of that subscription it is my minde & meaning and soe I doe will and devise that such party or parties shall be paid by my Executrix hereafter named the sume of one hundred pounds, they makeing his or her demande thereunto first appearing to be legal righteous and iust, and from and after all such things herein as aforesaid named bee first acted made and done for securing the said estate which if they shall refuse to accept then this my devise and bequest to be utterly devoid and frustrate and of none effect. ITEM I give and bequeath unto my daughter Elizabeth Alexander my great Dyamonde Ringe, gold and silver watches and my case of silver instruments which I bought at Bruzells and I verily believe cost me threescore pounds, the very case cost me twelve pounds of the money, which my said Daughter shall enjoy during tearme of her naturall life, and then if shee bee maryed and have children, shee shall dispose thereof unto her eldest daughter if shee have any, or to her eldest sonn if shee have any, but if shee shall dye without issue, in such case I give and bequeath unto Elizabeth Browne widdow, if shee shall bee liveing or to her daughter Elizabeth Browne if shee, her said Mother be dead, and for want of such issue I give and bequeath the same to be sold and the money that shall arise by the sale thereof to be given and delivered unto the Provost of the Colledge of Dublin for the time being or that hereafter shall bee by him to bee disposed of for the good and benefit of the Colledge in such manner and sorte as hee shall think fitt. ITEM I give and bequeath unto the Protestante Poore of Dublin the sume of ten pounds to bee divided amongst them by my Executrix hereafter named wherein I charge her that no Papist Poore have a farthing thereof, but such poore old Protestants who have outlived their labours and are in want and nec ssity which shee will quickly find out upon enquiry.

“ITEM.—I give and bequeath unto the Provost, Fellowes, and Scholers of the Colledge of the Holy and Undivided Trinnity, of the foundation of Queen Elizabeth Dublin, and to their Successors for ever, all my Books and Manuscripts of Comon, and Civil Law, and Statutes of Divinity, History and of, and concerneing all other Arts and Sciences whatsoever; and all my Books and Pamphlets,

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bound and unbound in volumes, excepting such Books, and MSS. which concerne physicke or chirurgery, which I give unto my daughter Elizabeth Alexander.

“And it is my minde and meaning, and I doe soe order, direct, and appoint, that by the direction of the Provost of the said Colledge for the time being, or that hereafter shall bee a perfect Catalogue bee made of the said Books &c in writeing, by some one whom the Provost shall name, and appointe with one more to bee named, and added to him by my Executrix, hereafter named, which being once perfected under their hands, and a duplicate thereof given into the hands of my said Executrix, then, and not before, the said Books &c are to bee removed unto the Colledge, to bee kept accordingly.

“ITEM; I give and bequeath unto the Provost, Fellowes and Scholers aforesaid, and to their Successors, the sume of six hundred pounds sterl. good and lawful money of and in England, to bee paid into the hands of the Provost of the said Colledge for the time being, or that hereafter shall bee by my Executrix hereafter named, within one year next after my decease, to bee by him ordered to bee disbursed, and laid out, in making an addition to the said Colledge buildings next over against Chichester House; amongst which buildings soe to bee made, I doe order, devise and direct, that a particular Library shall bee built, wherein to place, sett and keepe the said Books, and MSS. herein aforesaid as well as those books which I have heretofore given and delivered unto the said Provost, Fellowes and Scholers aforesaid, as those now herein bequeathed, and bestowed upon them; with two convenient lodging rooms to bee contiguous, and next adjoyning to the said Library Keeper for his Lodgings, and, better accommodation, of keeping and securing of the said Books, and MSS. aforesaid to bee called Alexander's Library, and Lodgings; and therefore for this end I give one hundred pounds over and above the five hundred pounds which at first I onely intended purposely for building of the said Library, and Lodgings aforesaid.

“And I do further order, and direct, that such Library Keeper, he that shall have the Custody, and Keeping of the said Books or shall from time to time, forever hereafter bee nominated and chosen by the Provost and foure of the said Fellowes at least, and always upon the Feaste of the Nativity of our Blessed Lord and Saviour Jesus Christ, commonly called Christmas Day, allways at a convocation then to bee holden for that purpose.

"And it is my further order, and direction, that a perfect Catalogue of the said Books &c. bee at such time delivered unto the said Library Keeper thereof, for to bee appointed as aforesaid by the Provost of the said Colledge for the time being; or that hereafter shall bee under his hand attested. And that the said Library Keeper, soe to bee chosen and appointed as aforesaid, shall under his hand signe a Duplicate thereof, whereby he may bee charged with redelivery of the said Books &c back again; when the time of his said employment shall cease and bee at an end: and that during such time, as he shall bee Library Keeper of the said Books &c. he shall not lend them, or any of them, or permitt or suffer them, or any of them to bee carryed abroad out of the said Library; onely to bee for the use of such, as will study and peruse them; to prevent the losse and imbezillment of the said Books &c. being very many of them small and easily pocketted up and yet very scarce, and rarely to be gotten for love or money. These being all the Books of the Comon and Statute Laws of England or Ireland, that I could possibly get, or finde out. And the said Library Keeper shall pay and satisfie unto the Provost, Fellowes and Scholers of the said Colledge five pounds sterl. for every booke that he shall loose, or suffer to bee imbezilled dureing his custody thereof: who shall not continue longer in the said employment, than by three yeares space, unless the Provost, Scholers, and Fellowes of the said Colledge shall think fitt to enlarge his time.

"ITEM, I will, devise, and bequeath unto the Provost, Fellowes and Scholers of the said Colledge aforesaid by such name, and title, as aforesaid, one Annuity or Rent Charge of foure and twenty pounds p ann. to bee issueing, and goeing forth of all my Lands, lying, and being in the County of Westmeath, to hold unto them, and their successors for ever, with power to enter, and distreyne for non-payment of the rents, issues, and profitts thereof: and the distress, and distresses, then, and there soe taken, and found, to impound, detain and keep, prize, & sell according to Law, untill of the said rents, and arrears thereof, if any bee, they shall bee well and truly satisfied, contented, and paid: which said annuity or rent charge aforesaid, I give & bequeath unto the said Provost, Fellowes, and Scholers aforesaid, with this intent, and purpose; that out of the rents, issues, and profitts of the said Lands thus charged, That they the said Provost, Fellowes, and Scholers of the said Colledge, shall upon every Saturday, in every weeke for ever hereafter, deliver

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or cause to bee delivered unto ten Protestant poore people towards their reliefe and sustenance one sixpenny loafe of bread att the Colledge Gate, as an almes in kind, or to such, as shall send for it, not being able for to repaire thither through the infirmities, and weaknesses, that are or shall then bee upon them, the said ten poore people, allways to bee nominated by the Provost, Fellowes and Scholers of the said Colledge for the time being, or that hereafter shall bee, still as they decease, that there may be still a supply of poore for to receive the said almes and charity: the said Provost to order & direct the same to bee done, as he shall think fitt.

"And it is my further minde & meaninge, and I doe order, direct, & appointe that upon every Feast day of the Nativity & Birth of our Lord Jesus Christ, comonly called Christmas Day, the said Provost & Fellowes, shall nominate from amongst themselves one able Divine, who shall preach a commemorative sermon, in the said Colledge, where the Provost, Fellowes, & Scholers of the said Colledge shall bee present to hear and observe the same, lauding & magnifying that greate and good God, who as on or about that time, sent his onely sonn the Lord Jesus Christ into the world to suffer for our sins, and that all who believe in Him, may not perish but have everlasting life, with such proofes of the antiquity, and primitive observation of the said Feast, that may encourage men to observe the same with the more alacrity & cheerfullness, and with like reverence, & respect; For this is the day which the Lord hath made, that we should rejoyce, and be glad therein. And I doe further order, will and direct, that such Preacher, and Preachers, shall out of the rents, issues and profitts of the said Lands, Tenements, and Hereditaments charged with the said Rent-Charge, bee paid Twenty Shillings sterl. for every such sermon, which they shall preach for ever upon the said Feast Day.

"And I doe further will, devise, order, and direct, that what shall bee made overplus out of the rents, issues, and profitts of the said Lands, Tenements, & Hereditaments soe charged as aforesaid, the said tenn poore people paid, and one sixpenny loafe on every Saturday in the weeke forever given to the poore prisoners of Newgate, and one other to the poore in the hospitall, as aforesaid for ever, which I had almost forgotten, and the XXs given to the Preachers, as aforesaid, all the residue and overplus of the said 24lb Rent Charge aforesaid, shall yearly and every yeare bee paid unto

the Library Keeper of the said Books aforesaid always upon the Feast of the Birth of our Lord Jesus Christ, comonly called Christmas Day, by the Provost, Fellowes, & Scholers of the said Colledge for some recompense for his pains to bee taken in keeping the said Library. ITEM I give & bequeath unto my daughter Elizabeth Alexander my best Dyamond Ring and Golden Watch upon condition that she shall weare them during her life and at her decease to dispose of them to her eldest daughter that shall be then living if she shall have daughters, or to her eldest sonn if she shall have sonns and no daughters, and further as in this my last Will and Testament is declared and appointed. ITEM Provided always and upon condition and it is my minde & meaninge and soe I do herein declare myself that in case the Provost Fellowes & Scholers of the said Colledge shall not accept and enter upon all and every the gifts & bequests to them herein made given and bequeathed as aforesaid within one yeare next after my decease, that then and in such case all and every the same Legacies & Bequests to them as herein is aforesaid made given & bequeathed shall bee utterly void frustrate & of none effect to all intents & purposes in the law whatsoever—anything in this my last Will & Testament to the contrary contained in any wise notwithstanding. And it is my minde and meaninge and I doe humbly intreat the Lord Primate of Ardmagh for the time being or that hereafter shall be, that he will visit the said Colledge or Provost, Fellowes & Scholers thereof at such time and times as hee shall think fitt concerning these my legacies & bequests unto them as aforesaid made and given to see how the same are performed according to the true intent & meaninge of this my last Will & Testament and to cause to bee rectified & reformed what hee finds amiss therein or in any the same. ITEM I will devise and bequeath unto my daughter Elizabeth Alexander all that my mannor and Lordship of Killcoole and Killcooley als. Kilcule lying & being in the county of Tipperary and Baronye of Slenardagh and Compsey & parish of Killecole with Courts Barrons Courts, Courts Leetes and viewes of Franks Lodge and whatsoever view of Franks Lodge belongeth and appertaineth, fines forfeitures and emblements, Royalties, Liberties, Privileges, Superiorities and authorities and jurisdictions, casments, rights and emoluments whatsoever to the same belonging or in any wise appertaining incident or applement with all Fares, Markets, Tolls, tillages, pickages, wind and watermills with the customes, seals, and

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tokens thereof, rents of free and customary tenants dues & duties whatsoever of & belonging unto the same, or by any other & whatsoever right and title to use of right accruing and appertaining together with the abbey & seat of the said abbey of Killcole als. Killcoote als. Kilcully aforesaid, with the Town and Lands of Graylissey als Graigilissy lying & being in the barony and county aforesaid with all the lands, tenements & hereditaments whatsoever with all the appurtenances to the same or any of those in any how belonging & appertaining with all meadows or pastures &c. and all those townes and lands &c. commonly called & known by the name and names of Rathgarett Penstoune, Kilbreny al<sup>a</sup> Kilbrenan, Castlelost Medean al<sup>a</sup> Meaden Oldtowne and Highe & Low Garrons, situate & in the Barrony of Tertullagh & county of Westmeath, and all those four-score & two acres of land lying & being in the towne & feilds of Castlebrack and Ballimmin in the Barony of Tinehinch in the Queen's County, and all my freehold lands lying & being in the parish of Killmainhainbegg in the County of Meath, Kells & Ornistowne & whatsoever towne or townes in the counties of East or West Meath &c. within his Majestie's Realms of England or Ireland. To have & to hold the premises unto my said daughter Elizabeth Alexander & to the heirs of her body lawfully begotten or to be begotten, and for want of such issue to remaine & bee unto the Provost Scholers and Fellowes of the Colledge of Dublin aforesaid & to their successors for ever to be employed in the increase of so many Fellowes & Poore Schollers of the said Colledge & such other persons' uses as the Rents, Issues & Profitts of the said lands and premises will well beare to be settled, distributed, divided, & proportioned by the Lord Primate of Ardmagh for the time being, or that hereafter shall bee by & with the Provost & Fellowes of the said Colledge for the time being, or that hereafter shall bee, which division and allotment thereof being once for ever settled & established shall abide & soe continue to be performed & observed for ever. ITEM I will devise & bequeath unto my said daughter Elizabeth Alexander all that my lease and tenure of yeares yet to come & unexpired of and in that my dwelling-house &c. in Sheep streete within the suburbs of the citty of Dublin with all & whatsoever gold or silver coyne, plate, household stuffs and implements of household whatsoever, bedding, linnen, woollen hangings and whatsoever other goods and chattles are now standing and being within the said



house &c. ITEM I will devise & bequeath unto my said daughter Elizabeth Alexander all that my lease & of all that the manor and lordship of Killmainhainbegg in the county of Meath &c. standing & being with the townes & lands of Seastowne, Gardenrath & Sydenrath with the Rectories, Glebes, Lands & Tenements of the Geilay & of the Martery thereout & one of the members & hamletts of the same &c. which I give to the said Elizabeth Alexander my sole Executrix & to be sold and with the money ariseing by sale thereof, therewith defray my debts & legacies &c. and the surplusage I give & bequeath unto my said daughter Elizabeth Alexander to do therewithall what she pleases for her owne benefit & behoofe. ITEM I will devise & bequeath unto my said daughter Elizabeth Alexander all those my other two leases & several leases &c. in those several Towne Landes commonly called i. e. Rahnicult or Rahincenil and Griewbane als Newbane lying & being in the Barony of Tertullagh & county of Westmeath &c. ITEM, I will devise & bequeath unto my said daughter Elizabeth Alexander all & whatsoever other my mannors, messuages lands, tenements & hereditaments not being herein formerly bequeathed whatsoever & wheresoever situated & to have and to hold as herein is aforesaid &c. gold & silver money, debts, rents, plate, bedding, linnen and woollen household stuff & implements of household whatsoever & implements of & belonging to husbandry whatsoever, horses, mares, geldings, colts & phillies, cowes, calves, oxen sheep and cattle whatsoever &c.

"I doe make my said daughter Elizabeth Alexander my sole Executrix of this my last Will and Testament, provided alwayes and upon this further condition that my said daughter Elizabeth Alexander shall at any time after my decease marry and take to husband any Lord of Ireland by what name or title soever he beares, or the sonn of any such Lord, Nobleman or Noblemen whatsoever or any Archbishopp or Bishopp or Prelate or the son of any Archbishopp Bishopp or Prelate or any Knight Baronett or Knight or Knight & Baronett or Knight Bachelor, Esquire, Gentleman or any Irishman or that comes of an Irish extraction and descent and that have beene borne or bredd in the Kingdome of Irelande and that have his meanes and relations there and his fortune and meanes of substance or with any Papist, or Popish recusant, that then and in such case I doe hereby declare all the Gifts, Legacies and Bequests whatsoever which I have herein given & bequeathed unto the said Elizabeth

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Alexander as aforesaid to bee utterly void and frustrate to all intents and purposes in the law whatsoever and in such case I doe will and devise all my freehold lands & tenements to her bequeathed as aforesaid to bee and remain unto the Provost Fellowes & Scholers of the said Colledge &c. to hold to them & their successors forever to the use and benefitt of the said Provost & Schollers of the said Colledge for ever with this order & direction that out of the rents, issues and profitts thereof by advice of the Archbishopp of Ardmagh for the time being, the said Provost Fellowes & Scholers shall erect and make foure more Fellowes and foure more poor Scholers to be of the said Colledge and shall endow the said Fellowships with thirty pounds p. ann. a peece for ever and in such case of forfeiture I doe make John Osborne Esq. and Thomas Croe Gentleman Executors of this my last Will & Testament to make doe and pforme all and whatsoever my said daughter should and ought to have done according to the direction of this my last Will & Testament differing only in this that the money to bee raised by the sale of the lease of the mannor of Killmainhainbegg aforesaid, my debts & legacies being quite fully paid and satisfied, whatsoever the overplus that shall bee made by the sale thereof shall be paid and satisfied unto the Provost Scholers and Fellowes of the said Colledge to be ordered & disposed of for the good & benefitt of the said Colledge as with the advice of my said Executors shall be thought fitt, and in such case the lease and interest of my house in Sheepe street alias Ship street to be also sold by my said executors & the money made & arising by the sale thereof to be paid to the Provost, Fellowes & Scholers of the said Colledge and by them with the advice of my Executors to be also disposed of for the good and benefitt of the said Colledge. Item, I give & bequeath unto Standish Hartstonge Esq. tenn pounds wherewithall to buy him a Ringe to wear in remembrance of me his old friend and acquaintance. Item, I doe make John Osborne Esq. Thomas Croe gen. and John Rayley of London merchant to be overseers of this my last Will & Testament, and to advise help and assist my said Executrix in performance of this my last Will and Testament, wherein I pray & desire their extraordinary care and assistance, she being heere without alliance & the help of friends. And I give & bequeath unto every of my said assistants twenty pounds ster. a peece wherewith to buy them rings for to weare in remembrance of mee, and I doubt not but my good friend Master Standish Harts-

tonge will herein be assistant unto my said Executrix, when he shall have occasion to bee within this citty of Dublin, or elsewhere wherein he may bee helpful to her. And that this is my last Will & Testament I doe now declare that I have written every word thereof with mine owne hand and to have to every leafe of paper thereof sett my name and affixed my seale & have published the same to bee my last Will & Testament in pursuance of those whose names are hereunto subscribed. Jerome Alexander. Witnessed & published before us, Jo. Nethecote, Chr. Horncastle, Edward Haines.

"A Codicill made by mee. I Jerome Alexander of the citty of Dublin, Knight, Second Justice of His Maj<sup>ty</sup> Court of Common Pleas in Ireland and written with mine owne hand for some alterations made and to bee made and some additions to bee added unto my last Will & Testament &c." He desires that his house in Ship Street and its contents be turned into account for the benefit of his creditors, and instead of it grants his daughter Elizabeth the manor of Killmainhainbegg for her use and residence. He also gives her absolute power to dispose of his "greate Dyamonds Ringe & Golden Watch without remainder to Elizabeth Brown, widdow & her daughter." He bequeaths £30 instead of £10 to Thomas Cooper the younger, and grants £5 a year to the Vicar of Tellstowne in the county of Meath, and £5 a year to Henry Collingham, clerk, Curate of the parishes of Girley and Marteney. To the Curate of Kells in Meath he bequeaths £5 yearly "for teaching and preaching unto the inhabitants of Killmainhainbegg."

Elizabeth Alexander obtained in the Prerogative Court probate of her father's Will on the 6th of August, 1670. The personal history of the testator has hitherto been unsought after. Yet the career of one so prosperous—so munificent—so devout, and withal so enslaved by narrow views and unhappy prejudices, seems to claim some attention. In his Will Sir Jerome relates that because of his upholding "public rather than particular interests" he had, at his entrance on official life, been subjected to persecution. On this subject we have some curious details.

Jerome Alexander was connected with the county of Norfolk. His first appearance in the Records is in a *Recognizance*, in which Nicholas Corke, of Watterden in the county of Norfolk, promises to abide an order of the Court of Chancery in a cause in which Thomas Tayreray is plaintiff and himself defendant. In this *Recognizance*

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"Jerome Alexander, of Thorpland in the county of Norfolk, gentleman," is named as guarantee. This is in 1614.\*

On the 3rd July, 1620, James I. granted letters-patent to Jerome Alexander, bestowing on him the office of "bayliffe of the Hundred of Eynisford, in the county of Norfolk, with all the fees pertaining thereto."† Thus far does Jerome Alexander appear as a country landowner and a district judge. Being a barrister-at-law, he became a pleader in the Star Chamber Courts. And now we make a discovery in relation to the "many greate and potent enemies which sought to destroy him in body, goods, and good name upon his first entering upon businesse."

Jerome was accused, and in the Star Chamber Court convicted of falsifying a document, so as to gain a case in which he was plaintiff. On account of his offence he was on the 17th November, 1626, by the council of the Star Chamber, amerced in a heavy penalty, deprived of his status as a barrister, and sentenced to imprisonment in the Fleet prison. He secured his personal liberty by escaping to Ireland.

Under the auspices of Edward, second Viscount Conway,‡ Jerome was employed in connection with his lordship's estates in Down and Armagh, and in other duties in the province of Ulster. He also practised in the law courts of Dublin. But the sentence of the Star Chamber was a hindrance to his professional advancement, and he used all the means which friendship and money could command to get rid of a decree which, like the sword of Damocles, hung perilously over him. We become first positively informed of these negotiations in 1633, when Jerome sought to avail himself of the presence of Charles I. among his Scottish subjects to secure the royal clemency. The following letter, addressed to a subordinate in the office of Sir John Cooke, Secretary of State, points to what had previously been done on his behalf.§

"SIR,

"Because you are better acquainted with my purse than with my person, I shall make use of noe other sollicitation to spurre you forward

\* Close Rolls, 11th James I., Part 44, No. 121.

† Warrant Books and Patent Rolls, *passim*.

‡ Conway Papers in the Public Record Office, Vol. 288, paper 66; also *passim*.

§ State Papers, Ireland, 1633.

to the work you have in hand, and to the effect whereof you have promised your best endeavors. I shalbe better than my word, and you shall fynd I have many friends here who will complie with you in my behalfe to whom I have directed them by my letters as to the guides of the work. I shall say noe more, but pray you good speed, and that is God's speed, for hitherto I am sure I have had but little, but when you and I doe meete in heaven together, I shall let you see a mapp of my miseries and all these blotts wiped away in the interim. If once I become a freeman I may be one that may stand you in better stead than you are aware off. Till when expect better thyngs than what my unfortunities may induce you to believe and be confident you shall find me an honest man, and one that expects your favours and shalbe able hereafter to lett you see the misery of things and nowe and ever to rest

"Your unacquainted

"JEROME ALEXANDER.

"*Dublin, 4th January, 1633.*

"I pray let me hear a word or two by this bearer."

THE LETTER IS ADDRESSED ON THE BACK,—*"To the Worshipful his very loving friend, Mr. Fullwood, Esq., attending on the Right Hon<sup>ble</sup>. Mr. Secretary Cooke, these be in Scotland.—EDDINBROUGH."*

Mr. Fullwood is reminded by his suitor that he was not altogether unacquainted with "his purse"—a considerable bribe having no doubt reached him; he is also promised further evidence of his petitioner's gratitude in this world, and a token of his penitence in the world to come. But Mr. Fullwood did not accomplish the end sought for. During the latter period of 1633 Jerome obtained through the influence of Lord Arundel, Earl Marshal, the royal license to repair to England. But his enemies were on the alert. On the alleged informality of his not presenting his license to the Lord Deputy of Ireland before leaving Dublin, he was arrested and consigned to the Fleet prison by Sir Francis Windebank, one of the Secretaries of State, under the authority of the Star Chamber. His petition for liberation is as follows:—

"To the King's Most Excellent Majesty.

"The humble Petition of Jerome Alexander, Esq.

"Humbly showing,—That your Petitioner lieth restrained in ye prison of ye Fleete by ye commitment of the right hon<sup>ble</sup> Mr. Secretary Winde-

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bank by your Majesty's speciall command, for that having your Majesty's license of absence out of Ireland, where your petitioner then resided, directed to ye right hon. ye Lord Deputy to signifie your Majesty's pleasure to your petitioner for that purpose—your petitioner did omit his duty to his Lordship in not first delivering it to his Lordship and in not receiving his Lordship's directions and command therein before your petitioner's departure thence as became him, which he misunderstandingly and ignorantly conceived to have been a sufficient warrant for his departure, being but a mean man and no officer or plantator there. All which your Petitioner most humbly informeth proceeded not of any wilfull or purposed neglect, or other thing which might in the least as he conceived, show any disrespect to his Lordship, but that being advertised license was sent him in the end he should repair hither with all possible speed and finding a ship ready for this coast, and none likely to come in a good time after, that it also being deep winter and tempestuous weather immediately before and immediately after and then a calm sea on and his Lordship being then out of town and not to return as your Petitioner was informed within three or four days after, your Petitioner wishing to take this opportunity, and of zeal to perform my Lord Marshall's command, for which cause he was sent for, by your Majesty's license with directions that it should be delivered with all speed wherein your Petitioner confesseth that he behaved himself very inconsiderately and justly to have offended.

"For which your Petitioner is truly penitent and humbly beseecheth your most sacred Majesty that his hearty sorrow and punishment of imprisonment may for this one time expiate his offence and that your Highness's innate mercy and forgiveness may now by your gracious direction enlarge your Petitioner from his restraint and further imprisonment. And your Petitioner is bound to pray for your Majesty's most gracious and happy reign over us, &c."

Consequent on this petition Jerome Alexander at length obtained a modification of his sentence—he was released from imprisonment. The royal pardon,\* dated at Westminster, the 7th December, 1633, begins thus:—

"Charles, &c. Whereas in our Court before our Councill in our Star-chamber, the 17th day of November in the second year of our reign in a cause then late there depending between Jerome Alexander utter Barrister at the lawe Plaintiff against John Yates and other Defendants by judgment of the same Court the said Jerome Alexander was censured for a fowle misdemeanor and offence by him committed in

\* Patent Rolls, 9th Charles I., Part 5, No. 2.

defacing and blotting out of certaine words out of the coppies of certeyne depositions taken in the said cause for his own advantage and end against the said John Yates, whereby our said Court was misledd in their judgement in the censuring and condemning of the said Yates. And therefore it was then ordered, adjudged, and decreed by our said Court that the said Jerome Alexander for this said fowle offence and misdemeanour was well worthie of sharpe and severe punishment for the same and that he should be utterly disabled to practise as a councillor at lawe publicly at the barre or privately in his chamber, paie a fine of £500 and be committed to the Prison of the Fleet, and before his enlargement, should publicly at the barre of our said Court in humble and submissive manner acknowledge his great offence and was further ordered to pay Henry Nevil, clerke of the Court, £50."

The document proceeds to show that John Havers, the prisoner's father-in-law, had declared that Jerome was "in no way able to pay the fine of £500, but that he was personally willing to pay the amount with £50 to the clerk, and that Jerome had carried himself well and uprightlie in Ireland." Then follows an expression of the royal pleasure that Jerome should be relieved from the sentence of imprisonment, but on the distinct understanding that "he should never practise as a Councillor at law in England."

Jerome again visited England in 1637, but not without the royal permission specially conveyed. In August of that year a warrant was delivered to Viscount Wentworth, Lord Deputy of Ireland, in the following terms:—

"CHARLES, R.

"Right trusty and right welbeloved Cousin & Counsellor we greet you well. Whereas our right Trusty and right Welbeloved Cousin & Counsellor Thomas Earl of Arrundell and Surrey, Earl Marshal of England hath especiall occasion for the service and employment of our subject Jerome Alexander who is now residing in that our kingdom, and hath therefore desired us that he may have our especiall license for his repayr hither we doe will and require you that you suffer not any impediment whatever to delay or hinder him in his coming. And likewise that you take course that in his absence he may not receive any loss or damage by any suite or otherwise to be prosecuted against him, concerning him or his estate. And these our letters shall be your sufficient warrant and discharge in this behalfe. Given under our Signett at our Mannor of Oatlands the first day of August in the thirteenth year of our raigne."

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Jerome Alexander was now a well-employed counsel in the law courts of Dublin. Countenanced by Lord Conway, he proved of much service in suggesting legislative measures for restoring tranquillity among British settlers in Ulster. In a lengthened paper, bearing date 1655, he proposed that a Commission should issue from the Irish Chancery, with the Surveyor-General as one of its members. That Commission, he suggested, should determine the boundaries of Baronies forfeited by rebels and delinquents since the 25th March, 1639, and should subdivide and allocate the same according to a scheme agreed upon by the Committee of Adventurers.\*

To his personal interests Jerome Alexander was not inattentive. From the date of his obtaining the royal pardon he began to invest his savings in the purchase of forfeited lands. On the 26th May, 1634, Everage McEvor and Rory McEvor conveyed to Jerome Alexander the town and lands of Bally M'Broghie, and several other lands in the district of Killwarkie and county of Down.† On the 28th September, 1635, Jerome paid £53 6s. 8d. on several "alienations of land" made to him in the county of Down. Other lands were acquired in 1636, and from this period onward, till the time of his decease, he was continually acquiring new possessions, including entire baronies. Among his other acquisitions, he, in 1661, acquired the abbey of Kilcooley in the county of Tipperary.‡

One of the most opulent of the English settlers in Ireland, Jerome Alexander was invited to London in 1660, and on the 18th August of that year was knighted by Charles II. at Whitehall. On the 30th November following he received letters-patent appointing him to the office of Second Justice of the Irish Court of Common Pleas.§ During his latter years he was subjected to considerable trials. His eldest daughter, Jeromina, was cut off; his second daughter lost her husband, and one of his granddaughters was similarly bereft. On the 10th November, 1667, he lost his wife, to whom he had been united for nearly half a century. He entombed her remains in St. Patrick's Cathedral.||

\* "Adventurers for Lands in Ireland," Vol. 302, Public Record Office, London.

† Patent Rolls: Charles I. Public Record Office, Dublin.

‡ "Prendergast's Cromwellian Settlement in Ireland," 1870; 4to, p. 265. Patent Rolls, 19th April, 1661.

§ Patent Roll, Dublin Record Office.

|| Funeral Entries in Office of Ulster King of Arms, Dublin Castle.



Sir Jerome completed the preparation of his Will, written with his own hand, on the 23rd March, 1670; he expired on the 25th July of that year. His remains were placed in St. Patrick's Cathedral,\* beside those of his wife. If any tombstone was erected to his memory, it has disappeared.

Elizabeth Alexander did not disobey the conditions of her father's Will in the matter of matrimony. She married Sir William Barker, an English baronet. In the Irish Patent Rolls, under date 22nd July, 1671, she appears as obtaining a grant of several lands in the baronies of Furtallage and Kelty in the counties of Westmeath and Meath. As executrix of her father's will, she proceeded in a manner sufficiently decisive. Documents connected with a plea in the Exchequer Court at Dublin show that she had made an attempt to deprive Elizabeth Browne, her niece, of the yearly interest of money bequeathed to her in Sir Jerome's Will. According to the pleadings, it appears that in 1678 Elizabeth Browne, afterwards Button, a widow for the second time, and one of the three daughters of Jeromina, eldest daughter of Sir Jerome and wife of Humphrey Lanham, filed a bill in the Exchequer Court against her aunt, Elizabeth Lady Barker, charging her with withholding payment of the interest of £200, bequeathed to her by her grand-uncle. To this complaint Lady Barker and her husband responded that they, being displeased with the complainer's second marriage, which took place subsequent to the death of Sir Jerome, were entitled by a clause in his Will to refuse payment of the bequest. It was answered that Lady Barker had, when *femme sole*, not only consented to the second marriage, but promised to increase the legacy and otherwise improve the complainer's estate. The Court gave decree in favour of the complainer.†

Lady Barker died childless. The estates did not long remain in possession of her family. From entries in the Rent Books of the Irish Exchequer it is nearly certain that they were alienated prior to 1710.‡ Concerning Jeromina, Sir Jerome's eldest daughter, and her descendants, we possess some particulars. She was wife of Humphrey Lanham, and predeceased her father, leaving two sons, John and Humphrey, and three daughters, Mary, Rose, and Eliza-

\* Funeral Entries, Dublin Castle.

† Memoranda Rolls in Court of Exchequer, Ireland, 31 Charles II.

‡ Exchequer Rent Books, in the Public Record Office, Dublin.

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beth. Elizabeth married, first, Nicholas Browne, and secondly, John Button. By her first marriage she was mother of one child, Elizabeth, to whom Sir Jerome bequeathed the principal of £200, of which the interest was made payable to her mother during her life.\*

Rose, second daughter of Sir Jerome, was twice married. Her first husband was Rawlin Mallech, of Cockington, in the county of Devon. Two children of this marriage, Rankin Mallech and Anne Mallech, received in their grandfather's will a legacy of five pounds each. By her second marriage Rose Alexander became the second wife of Thomas Gorges, of Heavitree, near Exeter, M.P. for Taunton. This marriage was solemnized on the 23rd March, 1656. The issue consisted of Alexander, born July 29, 1660; Elizabeth, born 16th April, 1662; and Edward, who was born 15th May, 1666, and died 14th June, 1667. Alexander and Elizabeth Gorges received a legacy of five pounds each in Sir Jerome's Will.† Thomas Gorges died on the 17th October, 1670, and his wife, Mrs. Rose Gorges, on the 14th April, 1671. A handsome tombstone, adorned with an armorial escutcheon, is placed at their burial-place in the churchyard of Heavitree. The inscription is as follows:—

"The loving Turtell having mist her mate,  
Beg'd shee might enter, ere they shut the gate;  
Their dust here lies, whose soules to Heaven are gone,  
And wait, till Angels rowle away the stone."‡

By the authorities of Trinity College, Dublin, the directions contained in Sir Jerome Alexander's Will are substantially observed. Indigent persons are every Saturday at the College gate supplied with bread, soup, and meat, along with an allowance of money. They are for the most part persons who have served the students, and it is not certain that any religious test is imposed. The charitable bequest of Sir Jerome Alexander has thus become the basis of a more enlarged charity. The MSS. and books bequeathed by him are preserved in the College Library. The MSS. are kept separately, the press marks being G 3, 1—15, and G 4,

\* Sir Jerome Alexander's Will, and "Pleadings in Exchequer Court," Button v. Barker, 1678.

† In his Will, dated 1668, Thomas Gorges bequeaths to Sir Jerome Alexander, his father-in-law, £5, and £5 to Elizabeth Alexander, his sister-in-law.

‡ For these particulars respecting the family of Gorges we are indebted to the Rev. Frederick Brown, Fellow of the Historical Society.

1—14. The printed books are placed among the other books of the library. At the Revolution of 1688 the library suffered very much; and Sir Jerome's bequest of books was considerably interfered with. In 1702 the MSS. were revised, when it appeared that several were missing. Some of these were recovered in 1741 and 1742, when Dr. Lyons made a catalogue of MSS. in the College. About that period the MSS. were rebound and rearranged, so that a catalogue printed in 1697 is now of little use. (*Catalogi MSS. Angliæ et Hiberniæ, &c., Oxon, 1697.*) The special direction respecting the sermon on Christmas day has not been observed for many years; it has been merged in the general preachership.\*

It is unnecessary that we should at any length sum up the character of Sir Jerome Alexander. He probably deplored his early errors. He was prosperous; he belonged† to a race with amazing powers of acquiring and accumulating wealth. His prejudices were those of his period, though in an aggravated form. To be a member of the Church of England, as opposed to Romanism or sectarianism, was the symbol of quality in the land of his adoption. The native Irish were a degraded race, and to intermarry with them was to abandon caste and honour—very much as if an American citizen were to unite himself to a blackamoor. To disinherit his youngest and favourite daughter, in the event of her marrying an Irish nobleman or Church dignitary, was going far enough, no doubt,—but strong prejudice like the force of habit is seductive. Sir Jerome even refuses a "loaf of bread" to the Romish poor—his charity was to be dispensed to Protestants only. The Blessed One whose nativity was to be celebrated every Christmas by a sermon to be preached at the Judge's charges taught differently.

\* For these particulars respecting the administration of Sir Jerome's public bequests we are indebted to the Rev. B. Dickson, D.D., Trinity College, Dublin, Fellow of the Historical Society.

† A careful examination of Patent and Close Rolls, Wills, and other public instruments, warrants the belief that the English family of Alexander is of Jewish origin. During the reigns of James I. and Charles I. such names as Samuel, Michael, Augustine, Paul, Thomas, Matthew, Nathaniel, and Jerome are common to the different branches of the family. The Scottish House of Alexander is a branch of the Macdonalds, and nearly all the members of the sept in Ireland are of Scottish origin.

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TRANSACTIONS  
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HISTORICAL SOCIETY.

PART II.

THE EARLY BRISTOL CHARTERS AND THEIR  
CHIEF OBJECT.

BY J. F. NICHOLLS, ESQ.,

*Keeper of the City Library, Bristol.*

At the introduction of the Feudal system into England, Bristol (which was a walled town \* before the Anglo-Saxon period) contained several different fiefs; these were all included in the Honour of Gloucester, the Earls † or Consuls of which exercised over their province an authority that was regal in everything save the name.

Godwin's eldest son Sweyn, when Earl in 1049, put his younger brother Leofyn into Bristol as its governor, and Edward the Confessor confirmed the appointment. It was to Bristol then that Harold, when his life was endangered, fled, pursued by a force at the head of which was Bishop Ealdred, "*who not could or not would overtake him;*" and from this port he and Leofyn escaped to Ireland, in a ship that Sweyn, the Earl, had provisioned and kept in readiness for himself. ‡ Their names still linger in the Earlsmead and the Lewinsmead of Bristol.

\* Constantine the Great surrounded it with a wall and gates.—Seyer, p. 216. Portions of this wall and one-third of the Pomerium still remain.

† Hallam, "*Middle Ages*," Vol. II., 274, 275; Kemble's Glossary to "*Beowulf*." *Earl*, a synonyme for a Governor of a County or Province: Selden's "*Titles*," Vol. III., p. 638.

‡ Evans's "*History of Bristol*," p. 28; "*Monumenta Historica Britannica*;" "*Anglo-Saxon Chronicles*," pp. 445, 446.

Harold succeeded his brother Earl Sweyn in the Honour, but Brictric was Governor of Bristol when the Normans conquered it.\* After this, Godfrey, Bishop of Coutance, as Constable, held both the Honour and the Castle of Bristol for Maud, the queen of William the Conqueror;† but upon William's death the Bishop espoused the cause of Robert (Curthose), and so Rufus bestowed the Earldom upon Robert Fitzhaymo, who died without heirs male.‡ Henry I. caused his illegitimate son Robert to marry Mabile Fitzhaymo's eldest daughter and heiress, and made him Earl of Gloucester and Lord of Bristol.§ This Robert (the Consul) did much for the burgh, and, after an eventful life, he was succeeded by his son William, whose son Roger became subsequently Bishop of Worcester, Bristol being within his diocese.|| In 1175 William gave up his castle in the burgh to King Henry II., and the next year he made the King's youngest son, John, his heir, stipulating that he should marry Isabella his daughter.¶

John being a child, Henry now took the Honour into his own hands, and farmed it out for six years.\*\*

In 1189, John, then Earl of Moreton, married Isabella, having during the previous year given to the burgesses a notable charter, in which is avouched his suzerainty over Redcliffe (a fief of the Berkeleys) as well as over Bristol.††

As after John's reign the regal power of the Earls of Gloucester was absorbed by the kings of England, it is unnecessary to trace further the succession to the Honour.

Under these suzerain Earls there were a number of baronies; in the burgh of Bristol and its suburbs we can trace six: Foliot,

\* "Anglo-Saxon Chronicles," p. 458.

† Matilda hated Brictric, because he had refused to marry her when sent on an embassy to her father, Count Baldwin; hence he was imprisoned and his estates confiscated to her use.—"Monk of Tewkesbury" (Dugdale); "Leland Itin.," 678.

‡ Barrett, p. 206.

§ *Ibid.*, p. 208; Leland, 6, 79, Monk of Tewkesbury and Robert of Gloucester. || Seyer, pp. 372, 454, 492; Isaacson's Saturni Ephemerides, ccccliii.

¶ Hovedon, p. 544. "About midsummer the Earl of Gloster surrendered his castle of Bristow, of which until now the King was never able to obtain possession."—Brompton Chronicles.

\*\* Evans, p. 48. "To Hugh Bardulf."—Seyer, p. 503.

†† "Dugdale Monast.," Vol. I., p. 155. This Charter is now in the Bristol Council Chamber.

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Quentino, and Umfravile held one each within the walls; Robert Fitzharding held two, Billeswick and Bedminster, in the suburbs; and, if we mistake not, Henry I. held a fief—the Barton. To these might be added others.\*

Of course, by feudal tenure, each vassal paid fealty and service to his lord, not to suzerain or King, unless such happened to be his feudal Baron.†

The conflicting claims of so many rulers within a limited space must have caused great discord and confusion. But there was also another power, more ancient and more cherished in the burgh than these feudal lordships.‡ It was of Anglo-Saxon birth, and from its very nature it tenaciously made progress—peaceably if it could, and if the sacrifice demanded was not too great; if it were, then its members, rallying at the sound of the common bell, knew how to battle for their rights.§ This was the custom of Frankpledge, an institution of which every *borow* was a member, *the right of view* || of which, usually exercised by the baron's bailiff, *was in Bristol exercised by the burgesses themselves through their own officer*. In other words, *this burgh of Bristol had its own municipality and its own Chief Magistrate*. The effect of this institution (if, indeed, it did not become its primary object eventually) was to snap the links of the chain which feudalism had forged around their burgh; while the growing intelligence of its members, their rapidly increasing numbers, and the great wealth acquired by trade and commerce, enabled them to conserve, unite, and give coherence to the democratic element, which effectively curbed the evil tendencies of the barons.

Reference has been made to Harold's escape. In 1063 (we also learn from the Anglo-Saxon chronicle) he again visited Bristol, and here fitted out a fleet. It is obvious, therefore, that Bristol was then a place of maritime importance. Lewin, Brictric, and Harding, the progenitor of the Berkeley family, were among its prepositors.¶ With a keen commercial spirit, the burgesses who

\* "Chartulary of St. Augustine," fol. 33, and sundry Deeds in Bristol; Seyer's Memoirs.

† "Encyc. Brit.," Art. "Feudal System;" Hallam's "Middle Ages," Vol. II., p. 315.

‡ Bristol Charter, Ed. III. "From time of which there is no memory."

§ Evans, p. 74. || Carta 5, Ed. III. ¶ Seyer's "Memoirs of Bristol."

succeeded them traded upon the necessities of the kings, by lending them money in time of war, and in this manner wrung from them charters which established their rights, restrained the tyrannical customs of feudalism, gave to their commerce freedom of traffic, and at the same time protected them from competition with stranger merchants, added strength to their walls, and enabled them, by their wealth, to become a power in the state.

The first existing charter given to Bristol\* is dated Jan. 7, 1164, and is witnessed by Thomas à Becket, then on the eve of his quarrel with the king. By this charter Henry II. gives to the burghers freedom from toll and customs, throughout England, Normandy, and Wales, with a £10 penalty on all who interfere with them. In 1172 Henry gave Dublin to the men of Bristol, as a place of residence and trade.†

The next charter is from John, Earl of Moreton;‡ it is dated 1188. The early sections copied from the charters given to London by Henry the First and the Second give freedom from being sued out of the burgh, from the wager of duel, from toll, lastage, pontage, &c. limits the fine in the hundred court to 40s.; secures lands, tenures, and debts, though not owing in the lord's fee; forbids strangers to take an hospitium, &c., &c. After these come some special protective clauses. No stranger may buy or sell to another stranger in the town, but only to or of a burgess. So that the great staple trades of leather, wool, and corn were secured to the townsmen. No stranger can stay longer in the town than forty days. No stranger can open an inn, save in a ship. No burgess can be henceforth imprisoned for the default of a townsman, unless he become his surety, &c. (Hitherto the barons had claimed wardship over the youth, and had married the well-portioned orphans of their vassals to whom they pleased.) Now the barons may have wardship over lands or tenements, but not over the children. The burgesses or their widows may themselves marry, or their children without the lord's licence.

The burgess is no longer compelled to take his corn to his lord's mill to be ground.

\* Charter of Henry II.

† Charter placing the city of Dublin within the liberties of Bristol.

‡ John, Earl of Moreton's Charter as Lord of the Honour of Gloucester.

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He is no longer compelled at his lord's bidding to bail a man, but may please himself in the matter.

Only the lord earl may take tyne (a certain quantity of ale or wine), and he only according to the custom of the town. The tenures within the walls are to be held in free burgage with landgable service (settled payments or services with a ground-rent), but to be exempt from military service to the baron. All reasonable guilds are allowed. The burghers are encouraged to build upon the banks of the river, and in the void places of the town, and are to have all their free customs and liberties. The object of the charter is mainly to protect them by their suzerain against the encroachment of the feudal lords, and jealously to watch lest strangers by a year and a day's residence should acquire the freedom of the burgh.

Henry III., in 1227, gives two charters,\* one of confirmation, another frees the burgh from a 4d. custom of ale. He and his successors, Edward II. and III., grant by sixteen separate charters† the import duties of sixty-eight years for the repairs of the walls and quays of the city.

In 1232 Henry farmed the city to the burgesses‡ for £245, and soon after, by charter,§ he again farmed it for twenty years. So also, in the fourth year of his reign, did Edward III.|| for five years.

On the Somersetshire side of the Avon, Bedminster with Redcliffe, a fief of the Berkeleys was situated.¶ This trading suburb had its own præpositor, but in 1247, Henry III., by charter, joined it to Bristol for all legal purposes. In 1252 this king confirmed the charter of John; lowered the money fine of the hundred court to 20s.; gave the burgesses security of tenure, by custom of the town, instead of leaving it as heretofore to the arbitrary will of the baron; restricted the tyne (due to himself) to twenty-four gallons of ale or a money payment of twopence; and provided that no burgess should be molested for venison found in the town. As the king's wood came close to the eastern gate, this must be considered a most

\* Henry III. confirms the above.

† Most of them are lodged in the Tower.

‡ Evans, p. 56, Charter in the Tower.

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¶ "Our said burgesses of Redclive, in the suburbs of Bristol, shall for ever answer with our burgesses of Bristol before our Justices, &c., &c., &c."



liberal clause, but Henry was then collecting moneys for his pilgrimage to Jerusalem.

His charter of 1256 empowers the burgesses to choose a coroner; and enacts "that their goods shall not be forfeit through the laches of their servants.

"That the baron shall have no claim upon the goods of a feudary dying intestate.

"That the freedom of Bristol shall be equal to or better than that of London."

Henry also increases the penalty on disturbers of this charter to £20. The king, who had lavished on his mock crusade vast sums at Bordeaux and elsewhere, had just visited Bristol, of which his son Edward was lord. Though wheat was 16s. per bushel, and the starving populace fought in the streets for the carcasses of dogs and carrion, Henry's four days' visit cost £34 9s. 1d., and seven hogsheads of wine.

In 1300 Edward I. confirms previous charters, but enacts that the mayor who since 1216 had been chosen by the burgesses should upon election be presented to the King's Constable at the Castle, who should confirm him in his office, at the expense of the town. For this charter the town had to pay £200. An angry controversy arose between Thomas Lord Berkeley and the mayor and burgesses of Bristol, in which the baron, endeavouring violently to enforce his feudal claims, was eventually worsted, and his barony seized for the king. It was not restored till 1327.\*

In 1312, the town refusing to pay an arbitrary ship toll imposed by the king, Edward seized the government and revenues of the town, which he farmed out to a wealthy and harsh Kentish baron, named Baddlesmere. This fomented the quarrel, until the king, in 1313, sent a mandate to the Sheriff of Gloucestershire "that he was no longer to make a return of writs to the mayor and bailiffs of Bristol."

The king, intervening as mediator, appointed with others the before-named Thomas Lord Berkeley, the openly declared foe of the burgesses, to decide the matter. "The burgesses objected to these foreigners (non-burghers) being associated in this inquisition into their local rights and privileges. The multitude outside grew

\* Seyer's Memoirs, Vol. II., chap. 14.



clamorous, rung the common bell, affirmed that their liberties and privileges would be snatched away, and furiously burst into the Guildhall. Some twenty were killed on the spot.

For two years and upwards the struggle between the imperial will and the municipal law continued; at one time 20,000 men in arms made a fruitless assault upon the town. The law court at Westminster decided against the burgesses. The Earl of Pembroke came to Bristol to expostulate with them, but in vain. They answered, "We have done no injury, we have committed no offence, against our lord the king. We have simply defended our rights, as it was our duty to do. If our lord the king will remit those unjust imposts, if he will grant us life and limb, rents and land, we will obey him as our lord, otherwise we will defend our rights and privileges even to death." In 1316 the burgh nominally yielded, paying the king a fine of 4,000 marks, but none of the citizens suffered loss of liberty or life in consequence of their defence of their privileges, which in a few years were confirmed to them by Edward's successor.\* It is somewhat remarkable that the year after this so-called insurrection, the king, Edward II., granted to the burgesses the first of four charters,† by which the import duties of the town were for sixteen years to be applied to the repairs of the quay, and the walls which had for two years successfully repelled his own army.

In 1331, Edward III., by charter, provides for the safer guardianship of orphans, by the mayor, who is to take sufficient sureties to secure the children from suffering loss; and now the king fully admits the great claim for which the burghers had so earnestly and persistently contended, viz., their right of view of frankpledge, or, as we before said, their right to govern themselves municipally.

The king's commissioners, William Sharesall and Robert de Ashton, having made inquisition, returned into the king's chancery their report,—That the burgesses of Bristol, their ancestors and predecessors, &c., have, from time of which there is no memory always had view of frankpledge in the town and suburbs, together with all things appertaining to such view of the men who dwell in the same town and its suburbs; and whereas the said burgesses are fearful lest at some future time they may be

\* "Rot. Orig.," 15 r. 15, Seyer, Vol. II., 108.

† These four charters are preserved in the Tower.

molested, or even impeached for the exercise of this right, because they have no special charter or warrant to show for it from any of our progenitors, the king now confirms *the right of view to them for ever*, and guarantees them against molestation for its past exercise. This charter further enacts that non-usage in the past of any of their liberties shall be no bar to the enjoyment or exercise of such privilege in the future. Between this charter of 1331 and that of 1347, Edward granted nine other charters, three of which pledged the imports of the town for twelve years, for the repairs of the walls, and other three gave the custom on imports for a period of eleven years and eight months, for the repairs of the quay. The seventh was for an inquisition into the customs; the eighth a mandate not to molest the Prior and Convent of Hinton in their fair; and the ninth is a general confirmation of freedom from all customs.

Here we leave the subject, having shown that the struggles of 260 years had achieved success, and resulted in the restoration to the burgh of its municipal government. The charter of 1347 recognises for the first time by title *The Mayor and Bailiffs*, giving *them* power to erect a prison, and to punish fraudulent tradesmen, both clauses being illustrated in the illuminated initial letter of the charter, wherein is seen the constable with his staff driving the night brawlers into prison, and the dishonest baker, with his fraudulent scales, bound upon a sledge and drawn through the streets, amidst the execrations of the people.

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## THE LIFE OF FRA SALIMBENE.

1221—1290.

BY T. L. KINGTON OLIPHANT, ESQ., F.S.A.,

FELLOW OF THE HISTORICAL SOCIETY.

FEW nations can rival Italy in the surpassing interest of her annals. Her great capital has not ceased to influence mankind for two thousand years; and in the Middle Ages its power was twofold; all Western Christendom bowed before the Roman Empire and the Roman Church. But one and the same firmament could not hold these two great lights; the Pope and Emperor were grappling together in a deadly struggle for nearly two hundred years after 1076, though their warfare was sometimes broken by a truce.

These times are best portrayed in Dean Milman's "Latin Christianity." The greatest of all the Popes was Innocent III., who not only raised the power of Rome to its highest point, but secured its continuance by founding the two Orders of St. Dominic and St. Francis, the Preachers and the Minorites. The most brilliant of all the Emperors was Frederick the Second, whose last twelve years were one ceaseless war with the Papacy, a war continued by his son Manfred. The cities of Northern Italy were the great prize, for the possession of which Pope and Emperor were contending.

In the work now given to the public we are enabled to view the factions that were ever rending these cities, whether Guelf or Ghibelline had the upper hand. We may also behold the two new Orders of the Church, not as they appeared to Wycliffe or Luther, but as they were when thriving and growing apace, rooted in the respect of the faithful.

Our Parmesan Friar, living in the hottest of the fight, was brought in contact with many of the great men of the Thirteenth century, and their characters he has set before us most fairly. He does not spare the Popes whenever he finds a blot in them, though he manfully worked and prayed for their success. On the other hand, he

cannot withhold a certain measure of praise from the Emperor Frederick, who was to most of the clergy of the day nothing but Antichrist. Few periods of history can match our Friar's lifetime. As a boy, he heard of the second recovery of Jerusalem by the Crusaders; as an old man, he shuddered at the news of the Sicilian Vespers. In his youth, he saw the triumph of the Ghibellines under Frederick; in his old age, he saw the triumph of the Guelfs under Charles of Anjou. Truly the changes witnessed by him were enough to puzzle a believer in the prophecies of Abbot Joachim, the Calabrian seer, whose reputation, as we shall see, was so great throughout the Thirteenth century.

I have ventured to alter the Friar's mode of narrative, which is by no means continuous. He will often turn out of the main road down some long lane, and thence into a pathway still further off; and these digressions are unceasing. I have set down each year's adventures, gathered from different parts of his writings. Of all his contemporaries, none but Matthew Paris and Joinville surpass him in interest. Wishing to keep him in the foreground, I have passed over the characters of Popes and Monarchs, wherein he abounds. His writings were published at Parma in 1855, in the work entitled "*Monumenta Historica ad Provincias Parmensem et Placentinam Pertinentia*," to be found in the British Museum. He abounds in scriptural quotations, and his style is rather loose and rambling. In translating I have tried to be as terse as I could. I shall now leave him to speak for himself.

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I write these memoirs in the year 1284, and I aim not so much at brilliancy as at simplicity and truth.

I, Brother Salimbene de Adam, was born at Parma in October, 1221; and the Lord Balian of Sidon, a great French Baron, who was coming from beyond sea, (that is, from Palestine,) acted as my godfather in the Baptistry of Parma, which was near my house. This I have heard from a Franciscan of Acre, who was travelling with the aforesaid Lord. In 1222 there was a fearful earthquake in Lombardy and Tuscany. My mother used to say that I was then in my cradle; she let me lie there, but caught up my two little sisters and ran to her father's house. She was afraid that the Baptistry hard by would fall upon her. I used to tell her that she ought to

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have looked after a boy before girls. But she would say that they were easier to carry, being older.

My father was Guido de Adam, a man handsome and bold, who went on the Crusade in the days of Earl Baldwin of Flanders, before my birth. I have heard from him that his war horse, which he took to Palestine, was thought better than that of any other soldier in his company. He told me that he laid the foundation stones of the Baptistery, which was built on the site of the houses of my kinsmen, who were banished to Bologna. My family of old were called the Grenones, as I have found in old papers; afterwards they were called "de Adam." My eldest brother wedded a noble lady, one of the Baratti, who boast that they are akin to the Countess Matilda, and can turn out forty knights in war-time. I, Brother Salimbene, was the third son; and some used to call me Balian of Sidon, from my godfather; in my own family I was known as Omnebono. My father's fourth son was a bastard, a great warrior on the Emperor's side; for this he did penance by a pilgrimage to Compostella. I had three fair sisters, who made noble matches. One of them entered the Order of St. Clare, peace to her soul! My father's mother, Ermengarde by name, was a hundred years old at her death. She often bade me shun bad company and be a good man. My own mother was called Donna Imelda, much given to fasting and alms. She was never seen angry, or to strike a handmaid. Every year, from love to God, she kept in her house a poor woman from the mountains all through the winter; to this guest she gave food and lodging, though she had maids of her own. I afterwards got leave from the Pope for her to enter the Order of St. Clare. I Salimbene, and my brother Guido de Adam, destroyed our family by becoming Friars, that we might build it in heaven. Christ grant this to us! Amen. I have thus described my family very shortly at the request of my niece Agnes, a sister of St. Clare, that she may pray for them. Many noble houses have I seen cut off in my day.

In 1229 we had a bloody fight with the Bolognese, and bore off a great number of their mangonels, which I have seen standing in the Piazza near the Baptistery and Cathedral. In this year the walls of Reggio were begun. In 1230 the relics of St. Francis were translated at Assisi. He was the only man in this world upon whom Christ impressed five wounds after His likeness. His companion, Brother Leo, who was present when he was washed for burial, told

me that the Saint in death seemed as a man crucified, who had been taken down from the cross.

In 1233 we had a Bishop at Parma, a friend of my father, to whom he often sent gifts, and would talk to him out of the window of his palace, as I have often seen. This year was the Hallelujah time; every village sent forth its procession and banner; men and women, boys and girls, all came singing hymns to hear sermons morning, noon, and evening. They carried boughs and lighted candles, seeming to be drunk with divine love. All was peace and no rancour, as I saw with my own eyes. Brother Benedict came to Parma like another John the Baptist. He had an Armenian hood, and a long black beard. He blew loudly a little brazen trumpet. He wore black sackcloth, with a long red cross before and behind. I have often sat on the wall of the Bishop's palace and seen him preach; crowds of boys would make the responses after him, and cry Hallelujah. He would end with a hymn to the Virgin. The Parmesans at this time made a Friar their Podesta, who put an end to all feuds. I have seen him preach in the Piazza from some wooden steps, which had been made for him. Crowds entered the Orders of St. Francis and St. Dominic, but there were buffoons who used to try to find blots in the elect. I do not write many things I know, since they are not edifying.

In 1234 the vineyards were damaged by the snow and frost, wild beasts died, and wolves used to enter the town by night; many of them were taken by day and hung up in the Piazzas. In April, 1235, the Po was frozen so that man and horse could cross it. That year the Emperor Frederick sent into Lombardy an elephant and many dromedaries, camels, leopards, gerfalcons, and hawks. I saw them as they came through Parma to Cremona. In 1236 the Emperor began the war in Italy; he led the forces of Parma and other cities against Mantua. In 1237 he was aided by the horse and foot of Parma. He had many Saracens in his army, and also his elephant; it bore a wooden castle with five flags, and many Saracens, just as we read in the Book of the Maccabees. The Bolognese at this time attacked our allies of Modena. I saw a native of the latter town ride through our streets, weeping and crying, "Gentlemen of Parma, go and help the Modenese!" I began to love him for being so true to his townsmen. I could have wept as I heard him cry, "Help the Modenese, your friends and brethren!" I remembered that Parma

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was at the time stripped of all her men ; none were left but boys and girls, old men and women. Our soldiers had all followed the Emperor in his campaign against the Milanese, whom he routed with great slaughter at Cortenuova. In 1238 the Parmesans aided him at the siege of Brescia ; he had also Saracens, Germans, Apulians, and countless other nations, but he could not take that city.

On the 4th of February, 1238, I entered the Franciscan Order, in which I have lived many years as priest and preacher, and have seen and learnt much, and have dwelt in many provinces. I was received by Brother Elias, the General Minister of the Order, who was on his way to the Emperor at Cremona. The Podesta of Parma, and certain knights, came to see him in the Convent as he was sitting before the fire, yet Elias neither rose up to his visitors nor stirred, as I saw with my own eyes. And this was thought the greatest clownishness. A neighbouring Abbot had sent in a good store of poultry to Elias. I was received into the Order that evening, and the brethren treated me to a first-rate supper. Afterwards they gave me cabbage for my food, which I used to loathe when I was in the world, yet I had now to eat it all my life.

I was sent to Fano, in Romagna. I had been taught grammar from my very cradle. I now heard Brother Umile of Milan explain Isaiah and Matthew ; I never from that time have ceased to study or to attend the schools. The Jews said to Christ, "Forty and six years was this Temple in building ;" I may say the same of my studies. I am writing on St. Gilbert's day, 1284, and it is six-and-forty years since I entered the Order of St. Francis. My father never forgave me for leaving the world, because he had no son to succeed him in his inheritance. He complained to the Emperor, who was at Parma later in the year, that the Minorites had robbed him of his son. He went to Elias, the General, who was then at Assisi, with letters from the Emperor. These I was afterwards allowed to see. They began—"To mitigate the sighs of our faithful Guido de Adam," &c. The Emperor asked that I should be restored to my father. Elias therefore wrote to the Convent at Fano, where I was, ordering my restoration, unless I should refuse to follow my sire. Many knights came with him to the Convent, to see the end of the business. My father handed the General's letter to the brethren in their Chapter. The Guardian answered, "Signor Guido, we pity you, and will obey the letter. But here is your son ;



he is of age, let him speak for himself. If he will not go with you, we cannot force him."

I refused to go, saying, "No man that putteth his hand to the plough, and looketh back, is fit for the kingdom of God." My sire said, "You care not for your father and mother, who are pained on your account." "I care not indeed," said I, "because the Lord says, 'He that loveth father or mother more than Me is not worthy of Me.' Of you He says, moreover, 'He that loveth son or daughter more than Me is not worthy of Me.' You ought then, father, to care for Him who hung on the tree to give us eternal life. He it is who says, 'I am come to set a man against his father. A man's foes are they of his own house.'"

The brethren were astonished and delighted. My father told them, "You have bewitched my son; I will again complain of you to the Emperor, and to the General Minister. But let me speak with my son apart, and you will see that he will go with me forthwith." The brethren allowed this, having some confidence in me; still they stood behind the wall listening to us; they feared not only for my soul, but also that my desertion would prevent others from entering the Order.

My father began, "Dear son, don't believe these filthy fellows who have deceived you, but come with me." I answered with a text from the Proverbs. He went on: "What am I to say to your mother, who is always mourning for you?" I replied, "You will say to her from me, 'My son says thus: "My father and my mother have forsaken me; the Lord hath taken me up. It is good for a man that he bear the yoke from his youth."'" My father dashed himself on the ground before all the brethren and knights, and cried, "Cursed son, I give you to a thousand devils, and also your brother who has deceived you. My curse be on you for ever!" So he left us, and we gave thanks to God, saying, "They shall curse, and Thou shalt bless." The knights were much edified, and the brethren were delighted with me, boy as I was. Next night the Virgin rewarded me with a vision; I seemed to be lying before the altar; she was sitting thereon, and stretched out her Babe to me, saying, "Come boldly and kiss my Son, whom thou didst yesterday confess before men." The Babe opened its arms; the mother gave Him up to me, and said, "Go, son, lest the brethren, coming to matins, find you here with us." Never in this life have I had such delight.

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About this time I dreamt that a certain Parmesan had killed a monk, and I told my dream to my brother. An old neighbour of ours soon passed through Fano on his way to Apulia; and we asked about the supposed murderer. My dream proved to have been true. The friars at first hid my brother and me in a lawyer's mansion, near the sea; our host, Martin di Fano, used to discuss the Scriptures with us.

Brother Elias now sent me his thanks for my stout adherence to my vows, and offered to despatch me to any place I might choose. Two Tuscan brethren persuaded me to choose their province. I had to leave Fano because my father had bribed pirates of Ancona to carry me off, if I should be walking on the sea-shore. I lived for a whole Lent in the convent at Iesi, the town where the Emperor Frederick was born. When I was passing through Citta di Castello, I found in a hermitage an old friar, a nobleman, full of days and good works, who had four sons living in the secular world. This was the last Brother that blessed Francis had received into the Order, as he told me. Hearing that I was called Omnebono, he was shocked and said, "My son, no one is good but God. Let your name henceforth be Brother Salimbene, because you have *mounted well* in entering a good Order." I was delighted, seeing that my new name was given me by so holy a man; but I should have liked better the name of Dionysius, St. Paul's disciple, as I was born on his day.

I was at Lucca two years. Here Brother Vita taught me singing, a man whom the Pope and Cardinals loved to hear. Whenever he was asked to sing he would never say that he had a cold; Horace's lines could never be applied to him:—

"Omnibus hoc vitium est cantoribus," &c.

He composed many hymn tunes; his voice was better suited to a room than to the choir of a church. There was an eclipse of the sun, as I saw with my own eyes at Lucca; it was at three o'clock on the third of June, 1239; the stars appeared; men and women went about mad with fright; many came to confession and did penance for their sins; the Podesta of Lucca took a cross and went in procession through the streets with the clergy and friars; he preached on Christ's passion, and made peace between old enemies. This year the Emperor was excommunicated by the Pope.

I was afterwards at Sienna for two years; I had here for my

Guardian, and also for my master in singing, Brother Arrigo di Pisa, who was courteous to all men, to friars and laymen alike, a virtue which few friars practise. He excelled in preaching, writing, and illuminating; he was the composer of the finest tunes. He could fill a whole choir with his voice, which was beyond measure charming. He composed many hymns when he was lying sick and could not write; he called me to him, and I wrote down from his dictation that hymn which begins—

“Homo, quam sit pura  
Mihi de te cura,” &c.

He used to love me more than his own brother, as he said. He was afterwards Minister in Greece, and wanted me to go there with him, promising me a Bible and other books. He died at Corinth. All this time (1241—1243) the Cardinals could not agree as to the Pope to be chosen, and the Emperor blocked up all the roads, lest any one likely to become Pope should pass. I myself was often taken up, and I learnt at that time to write letters in various ciphers. I lived for one winter in the convent at Sienna with Brother Bernard de Quintavalle; he was my intimate friend, the first man whom St. Francis received into his Order. He used to tell me and the other youngsters of many mighty works done by the Saint.

I went in 1243 to Pisa, and there I learnt Abbot Joachim's doctrine from an abbot, who had all Joachim's books. He kept them at Pisa, fearing that the Emperor Frederick might destroy his Monastery, which was on the road to Lucca. He thought that in Frederick all the mysteries were being fulfilled. When I was at Pisa each friar received every year two new tunics. I asked one of them why he would only take one tunic, and that an old one. “Brother Salimbene,” he answered, “I shall scarcely be able to account to God for having even that one.” I lived at Pisa from 1243 to 1247. A lay brother, a native of the town, once took me out to beg for bread. This man long afterwards threw himself into a well, was pulled out, and a few days later disappeared, and the brethren suspected that the Devil had borne him off; let him look to it. He and I were begging with our baskets in Pisa, and entered a court. We found a charming green and shady vine spreading over the whole wall. There were several leopards and other beasts from beyond sea, at which we gazed for a long time. There were handsome girls and

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boys charmingly dressed, with violins and harps in their hands, who ceased not to sing and play all the time we were there. They said nothing to us, nor we ought to them; we hardly knew how to withdraw. I know not how we came in for so delightful a scene; neither before nor after did we ever see anything like it.\* When we went out, a man unknown to me, who said he was a Parmesan, met me and began to abuse me thus:—"Go, wretch! many hirelings in your father's house have plenty of bread and meat, while you go begging your bread from the poor. You ought to be riding a war-horse through Parma, and to be delighting the ladies and buffoons in a tournament. Your father and mother are in despair." I answered, "Away, wretch! thou savourest not of God, but of carnal men; thou art poor, and blind, and naked." That night I had a vision. I seemed to be begging from door to door as friars do, and I avoided the quarter where the Parmesan merchants go, for fear lest they should bring me messages from my father, who was never reconciled to me up to his death. I saw Christ and His parents begging bread, which they put in their baskets; and He afterwards spoke to me. After this vision I cared as little for my father's messages as for the fifth wheel of the waggon. Once I got a message: "Your mother wants to see you for one day only." I answered the bearer in anger: "Depart from me, wretch! for I will not hear you further."

In 1247 I was in the convent at Cremona, when Frederick was marching on Lyons, as was thought, to seize the Pope who had deposed him. Parma rose against him in June, and the rebels killed Arrigo Testa of Arezzo, the Podesta, a friend to me and all Minorites. I well knew what went on. King Enzo, the Emperor's son, hearing the news, came home with the Cremonese by night from the siege of Quinzano; there was no singing on the march, but sad silence, as when an army is routed. A Council was held at Cremona, lasting from daybreak to the afternoon. They then took a hasty meal, and set out with the Carroccio of the city; not a man able to bear arms was left behind. If they had marched at once against Parma, they must have taken it, for it was not as yet fortified. But, thanks to the Lord, King Enzo encamped hard by, and awaited his father the Emperor, who came back from Turin in great wrath, and brought

\* This charming mansion could have belonged to none but the Emperor Frederick, who was at Pisa about this time.

soldiers of almost every nation under heaven. The women of Parma, rich and noble, offered to the Virgin a silver model of the town, which I saw; there were in it the Cathedral, Baptistery, Bishop's Palace, and other buildings, all of silver. The Mother asked of her Son the town's deliverance; the Son listened to His Mother, whom He could refuse nothing. The Emperor sent for five knights of the Anconitan March, his hostages at Cremona, since he held their loyalty in suspicion. The messenger found them as they were washing their hands before supper; he bade them ride to his master, and took them to the gallows in the field outside Cremona; there they were hung. Next day the Minorites buried them, and could barely drive away the wolves, which were trying to eat them on the gallows. All this I saw, being then at Cremona. Robbers abounded, more cruel than fiends; they would carry men off and torture them till ransom was paid. The land became a wilderness. Birds and beasts multiplied beyond all bounds. The farms were all burnt; so the starving wolves would enter cities at night, and devour men sleeping in the porticoes. They would burrow under walls and seize children in the cradles. No one could believe the horrors of that time (1247), unless he had seen them as I saw them.

I made my way into Parma while it was being besieged. Gregory of Montelongo, the Pope's Legate, was there, a man skilled in war. The Parmesans kept murmuring that no help came to them against Frederick's wiles. The Legate invited me and some of the nobles to breakfast in the Bishop's Palace; a dusty messenger came to the door with letters in his girdle; these were read and they promised speedy succour. The knights spread the good news all over Parma. Two Milanese friars afterwards told me that these letters had been concocted in the Legate's chamber the evening before. I had been hearing Brother Sampson, of England, lecture on Theology; but the Minister of the Bolognese Province now sent me to study in France. I left Parma in the middle of the siege, and passed through Fontana Lata, where Signor Gerardo de Canale was living. He told me that he, being a friend of the Emperor's, was very useful to the Parmesans. I told him, "Either be with the Emperor or join the Parmesans, and do not halt between the two parties." He would not take my advice. The Emperor afterwards suspected him, and drowned him with a millstone round his neck.

I reached Lyons on the Feast of All Saints. Pope Innocent IV.

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instantly sent for me, and talked with me in his chamber. For since I left Parma he had had no news up to that day. He conferred many favours on me, being a courteous man; he absolved me from all my sins, gave me the office of preacher, and enrolled my mother in St. Clara's Order. I was at this time only a deacon and twenty-five years old; but Cardinal William Fiesco, the Pope's nephew, made me one day sit between him and the Patriarch of Antioch. The former questioned me on what the Parmesans were saying; all in the room were listening to me, each man hanging over the shoulders of those before him. For on Parma the interest of the whole Church was staked, just as in a duel, when each side hopes for victory. The bystanders whispered to each other, hearing my answers to the Cardinal, "In all our lives we never saw such a reckless, outspoken friar."

I went on from Lyons into France, and at the first Minorite Convent I met Friar John of Piano Carpo, who was returning from a mission to the Tartars; these, he said, are properly called "Tattars." He showed us a wooden cup, a present for the Pope, with a beautiful Queen's face at the bottom of it; the effect of nature, not art. The great Lord of the Tattars had given him letters for the Pope, on hearing that the Papacy was the greatest power in the West. I often heard Brother John's book read, in which he described the Tattars; I copied out the Khan's letter to Innocent IV. I went on to Brie in Champagne, and then to Troyes and Provins; many Italian merchants come to the fairs in these cities. When I was at Provins there were two Italian friars there; one a Parmesan, much attached to the Emperor; he had been a guardian at Capua, and was a great Joachite; the other was Girardino of San Donino, who wrote the book on Joachim long afterwards condemned as heretical, and who died in prison because he would not retract. These two friars were hated in France, for declaring that matters would go ill with King Louis if he should sail for the East. They showed me that it was so written in Joachim's commentary on Jeremiah; they said, "The King of France shall be taken, the French shall be beaten, the pestilence shall carry off many;" and this came true.

I was at Paris for eight days, and saw many things that pleased me. Then I dwelt in the convent at Sens, where the French brethren were glad to keep me, since I was a peaceable and active youth, and since I praised their behaviour. When I was lying sick in the

Infirmary there, early in 1248, the brethren rushed in, crying, "Good news! The Parmesans have utterly routed the Emperor Frederick; here is a copy of their letter to the Pope." They asked me what was the meaning of the chariot of Cremona which had been taken. I said that the Lombards called this "the Carroccio," and the loss of it in war was as great a disgrace as the loss of the Oriflamme would be to France. They were much astonished on hearing this.

Brother John of Piano Carpo came to this convent at Sens while I was there, and the friars read his book on the Tatars, while he explained anything hard to be understood. I often took my meals with him in the different abbeys. When I was at Cluny the monks there said to me, "Oh that the Pope would always send such Legates as Brother John! Other Legates rob the churches and carry off all they can; he would take nothing but a patch of cloth to mend the garment of his companion."

I now went to Auxerre; and when there I often went into the house of Master William, who composed the Summa; he was a good logician, but bad preacher. A year before this time a friar had told me that Auxerre produced more wine than four Lombard cities; I would not believe it then, but I now found it was true; the wine is sent to Paris by the river. I went round the bishoprick three times; once with a friar who was preaching the Crusade; another time with a second friar. We spent Easter with a Countess, who treated us to twelve dishes at table. We saw the monastery of Pontigny, where St. Thomas of Canterbury was received in his exile. The French drink too much wine; they go to mass with eyes inflamed with drink, and ask the priest to drop the water in which he has rinsed his hands into their eyes. I have often heard a Parmesan friar at Provins say to such a request, "Away, plague take you! put water in your wine, not in your eyes."

About Pentecost, in 1248, I went to the convent at Sens, where a provincial chapter of the Order was to be held. John of Parma, the General Minister of the Order, who was present, was angry at some of the rules not having been observed; he would let none but himself confer the office of preacher. We all went out to meet King Louis of France on his way to the Crusade. I followed the Archbishop of Rouen, who was hurrying about the street in full pontificals. I was astonished, for I knew that beves of ladies would have come to meet the king had he been passing through Pisa or Bologna, but

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at Sens there seemed to be none but maid-servants. Then I remembered that in France none but the middle class live in the towns; the knights and ladies live on their estates. King Louis was graceful, spare, and tall, with a face like that of an angel. He came to the Franciscan Convent, not like a king but like a pilgrim, with his staff and wallet of relics; not on horseback, but on foot, followed by his three brothers; he was more like a monk than a knight. He prayed before the altar, and I was close to him as he went out. The Treasurer made him a present of a live pike in a wooden vessel. The King ordered that none but knights and friars should enter the chapterhouse. When we were assembled there he asked our prayers for himself, for his mother, and for his army, and he fell on his knees. The French friars near me were weeping. Cardinal Otho, who was with the King, made us a short address; and then John of Parma spoke, telling us that our father and benefactor was craving, not our gold, but our prayers, on his way to the Holy Land; it was right that we should requite his benefits to our Order. "I am resolved," said John, "to impose on each priest four masses for the king's behoof; if that be not enough, let him ask more." The King thanked the General Minister, and made him confirm this privilege with his seal. They took their meal with us in the refectory. We had plenty of wine and the whitest bread, and cherries, crabs, eel pasties, rice, tarts, and junkets. By the General's leave I followed the King next day. He often turned out of his road to beg for the prayers of hermits. I went one day to Urgeliac, where the Magdalen's body is supposed to be. The King came early next morning, and bowed himself in the dust, as I saw with my own eyes, while his brothers were looking about for seats, as the church was not paved. He invited us to make a ring about him, and asked for our prayers. He went out, but was told that his brother Charles was earnestly praying within; the King would not mount his horse till his brother was ready: I saw them both and was much edified.

They proceeded on their way to Palestine. I went down the Rhone from Lyons to Arles, and then to Marseilles and Hyères, that I might see brother Hugh de Bareol, one of the greatest clerks in the world, who had a most eloquent tongue, and a voice like a trumpet.\* He was a Provençal, of moderate height and rather swarthy; you

\* This must have been the friar who, according to Joinville, preached to St. Louis at Hyères on his return from the Crusade.



might think him another Paul or Elisha. I had heard him preach at Lucca, and the clerks there said many years afterwards that they had never listened to such a preacher. I had also heard him at Tarascon, whither men and women came from Avignon and Arles to listen to him. He lived at Hyères, and many notaries, judges, and physicians came to his chamber on feast-days to hear him explain the books of Abbot Joachim, for he was a very great Joachite. Two Dominicans also came; one was Brother Peter of Apulia, the Reader at Naples, who avowed that he cared as much for Joachim's doctrine as for the fifth wheel of the waggon. Brother Hugh asked him, "Have you ever read Joachim?" Brother Peter answered, "Aye, and that thoroughly."

*Hugh.* I think you have read him as a woman reads her Psalter; when she is at the end she remembers not what she has read at the beginning. Now what are your doubts as to Joachim?

*Peter.* I wish you to prove from Isaiah, as Joachim teaches, that the Emperor Frederick's life must end in seventy years; and that he cannot be killed, except by God.

*Hugh.* Willingly. As to his life, that it must end as Isaiah says when speaking of the burden of Tyre,\* pray remark that Joachim, commenting on that passage, understands the Roman Empire by the land of the Chaldees; Frederick himself by Ashur; Sicily by Tyre; the whole of Frederick's life by the days of the one king; the term of life, which Merlin foretold, by the seventy years. From a passage in the thirty-first of Isaiah you learn that Frederick is to be slain by God alone. The whole of that last passage has already been fulfilled, especially at Parma, when he was routed; moreover his princes have often wished to slay him, but have not been able.† You must believe the Scriptures; there is in them not only a literal historical meaning, but also an allegorical, anagogical, tropological, moral, and mystical meaning.

*Peter.* All very fine; but I want you to explain more clearly about Isaiah's seventy years and his days of one king.

*Hugh.* Merlin, the Englishman, has foretold the truth about Frederick the First, Henry the Sixth, and Frederick the Second hitherto. Let us confine ourselves to four passages of Merlin,

\* Isa. xxiii. 15, "Tyre shall be forgotten seventy years, according to the days of one king."

† The passage referred to must be the last two verses of Isa. xxxi.

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speaking of the present Emperor. First, *he shall fall in thirty-two years*; which may be taken of his reign since his imperial coronation. Secondly, *he shall live in his prosperity for seventy-two years*; the truth of this will be seen by those who may survive so long. Thirdly, *for fifty years and two he shall be treated well*; this time must be reckoned from the marriage of his parents up to the eighteenth year of his possessing the Empire. Fourthly, *in the eighteenth year from the time of his anointing he shall hold the monarchy in the eyes of the envious*. This refers to his excommunication by Pope Gregory IX. Now contradict me out of Scripture if you can.

*Peter*. It is wrong to quote Merlin, an unbeliever.

*Hugh*. You lie, and I can prove it. Does the church reject the prophecies of Balaam, or Elihu, or Caiaphas, or the Sibyl, or Merlin, or Joachim, or Methodius? Good things must not be scorned, even though they come from a bad teacher.

Hugh at last drove Peter to silence. The latter was called away, when Hugh said, "These good men are always boasting of their learning, and that the Minorites are idiots; but, blessed be God, they will not be able to say now that they have been with idiots." That evening, after supper, Peter sat on the ground at Hugh's feet, and could not be persuaded to sit on a bench. Peter's companion asked me, "For God's sake, Brother Salimbene, tell me who that friar is." I answered, "He holds no office, but is one of the greatest clerks in the world; he chooses not to dwell in large convents from his humility."

On the next feast-day, after Hugh had ended his discourse, two men of Hyères begged him to receive them into the Order. "Go into the woods," said Hugh, "and learn to eat roots." They put on particoloured mantles, and began to beg their bread through Hyères. They were successful, because we and the Dominicans had taught all men to beg. I knew one of the two men; he founded the Order of the Saccati. Every man, when he puts on a hood, wishes to found a begging Order. Brother Hugh's enemies used to reproach him with having created this new Order. All who wish to found anything new, borrow either cord, or dress, or slippers from St. Francis. But we have now a privilege from the Pope, to prevent our dress being copied. Gregory X. suppressed these Saccati long afterwards, fearing that the Christian people would be weary of such crowds of beggars.

Brother Hugh gave me what he had of Joachim's exposition of the four Gospels, and I went from Hyères to Aix, and there I and my companion copied it out for John of Parma, who was a great Joachite. At Aix died the Count of Provence, the father of the French and English Queens. He wished to be buried in the Franciscan church, but the brethren at that time allowed no burials in their churches, to avoid the jealousy of the seculars. They would not on this account bury St. Elizabeth in their church.

In September, 1248, Brother Hugh and I were ordered to meet Brother John of Parma at Tarascon.\* We were twelve friars there, besides the General. We all went to visit the body of St. Martha, and the Canons gave us her arm to kiss. King Clovis richly endowed her Church, after she had cured him of a disease. I was most intimate with the General Minister, being his fellow-townsmen. I once showed him the bed prepared for him. "My son, the Pope might sleep there," said he, and took my bed. I remonstrated; but he said, "Son, sleep thou in that papal bed." And this I had to do. Next day we went to the Franciscan Convent at Beaucaire, across the Rhone. There was an English brother there, from whom I heard the commentary on Genesis written by Adam de Marisco. We then sailed down to Arles. Here a Parmesan brother, Gioannino de Olli, asked the General, "Father, give me and Salimbene a crown." How can I do that?" said the General, smiling. "By giving us the right to preach." I told Gioannino, "Away with your crown; I obtained the right of preaching from Pope Innocent IV at Lyons, and am I to get it now from Brother Gioannino of San Lazaro?" This was the General's nickname. He was a short man, with a face like an angel, kind and patient; I have often seen him draw tears from his hearers when preaching. He had taught at Paris, at Bologna, and at Naples. At Rome his brethren used to make him dispute before the Cardinals, who thought him a great philosopher. He was the first General Minister who went round visiting the provinces. He it was who sent Cardinal Buonaventura to Paris, and afterwards appointed him his successor as General.

When the bell used to be rung for working in the garden, Brother John of Parma, though General of the Order, would work with the rest, as I have often seen. And I used to say, "Father, you do what

\* John of Parma was one of the most famous Generals of the Franciscan Order.

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the Lord taught in the 22nd chapter of St. Luke."\* And he would answer, "Thus we must fulfil all righteousness—that is, perfect humility." Many good things have I known of John of Parma; he is still alive in 1284. He on this occasion ordered Gioannino and me to be examined for the preacher's office. "Not by Brother Hugh, for he as your friend will spare you." I was admitted; my companion was not found competent.

Brother John called for him and me, and said, "My sons, I will send you to any place you may choose, except Paris; take a night to consider." Next day I declared that I would leave the choice in the General's hands. He said, "You shall go to Genoa, and I will write to the Minister there that you, brother Salimbene, are to be raised to priest's orders."

I remained with Brother Hugh at Hyères up to All Saints' day, and we spoke all day of Abbot Joachim. Gioannino, my companion, was a rash youth, who fell sick from want of taking care of himself. I told him, "I shall leave you here as the country is not healthy, and I for my part wish to live and see whether what Brother Hugh preaches will come true." Brother Ponzio came to us on his way to Nice; next day we went to the ship, a mile from the Convent. Gioannino was very angry with me for taking him away from Hyères, but he would have died there had he been left. He was afterwards sent by Pope Nicholas III. to act as priest to the Christian captives in Egypt; he saw a unicorn there, and brought home some manna, and told us how each captive was allowed only three small loaves a day. He was a good and useful man, may his soul rest in peace!

We came in one day from Hyères to Nice, and there we found Brother Simon of Montesarchio, whom we carried on with us; we sailed a day and a night, and at dawn we entered Genoa. Brother Simon and I related many stories to each other on board; he had been sent from Lyons by the Pope to rouse Apulia and Sicily against the Emperor Frederick. He brought over many men to the Church, but he was afterwards taken and put to death by eighteen kinds of torture; nothing but praise to God could be wrung from him. May he intercede for us! Amen.

The Guardian of the Genoese Convent gave to me and Gioannino each two new tunics. Brother William of Piedmont was assigned to teach me how to sing mass. There was at Genoa a certain Bishop

\* We are there told that Christ sent His disciples to prepare His meal.

from Corsica, whom King Enzo had driven out ; he had to write for his livelihood. He gave me priest's orders in the Church of San Onorato. The Archbishop of Genoa was a little old man, very stingy, and not a sound Catholic. He held a meeting of the friars and clergy at his palace, and I was there. He first preached himself, and then would allow none to preach but Brother Stephen from England, whom he highly praised ; then he commended the Bishop from Corsica, and asked the assembled clergy to deal kindly with the exile. Some said that it was the Archbishop himself who ought to have provided for the poor prelate. This year a huge mountain fell near Chambery by night, and overwhelmed the valley ; the ruins lay for a league in length and a league and a half in breadth ; seven parishes were buried, and 4,000 men were killed. I went through that country in the next year, and long afterwards I questioned the Minister of Burgundy on the subject, and I have truthfully set down what I had from his mouth.

In 1249 I was sent on the business of the Genoese province to the General Minister. I went to Hyères from Genoa in four days. Brother Hugh was rejoiced to see me, and gave me a grand meal, what with sea fish and other dishes. It was near Lent, and all the brethren wondered at his kindness to me, for it was not his custom to sit at table with any one at that season. He talked much of Abbot Joachim and future events, and I learned that six of the brethren had died since I was at Hyères. I found the General Minister at Avignon ; we went on to Vienne, where we met a Minorite friar called Brother Salimbene, like me ; he had come on an embassy to the Pope from Vataces the Greek, and could speak both Greek and Latin. We all went on to Lyons, where Pope Innocent kissed the General, and chid him for coming on foot. Brother Rufino, the Minister of Bologna, who was at Lyons, said to me, "I sent you to study in France, and you went to Genoa." I answered, "Spare me, father, I did not think you would take it ill." "I will forgive you," said he, "if you will give me a written promise to go back to the province of Bologna." The General knew nothing of this. I went down to Vienne, fifteen miles from Lyons, and then to Grenoble and through Savoy. I entered a church there, which was full of boys' shirts. At Embrun the Guardian of our house said to me, "Brother, I entreat you to go and breakfast with the Archbishop, who wishes always to have two Minorites at his table." I said, "I must decline ;

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he would detain us so long by asking of the news from the court at Lyons." We travelled on to Susa, Alessandria, Tortona, and Genoa; the last day's journey was very long. The brethren at Genoa rejoiced to see me, since I brought good news; they inquired after the General's movements. Brother Rinaldo, an old Franciscan, whom the Pope had forced to take the Bishopric of Rieti, preached and celebrated mass in his mitre at our Convent in Genoa. I was then a priest, and served him at the mass; he gave the brethren a very good meal of sea fish, and ate with us in our Refectory. Next day Brother Stephen of England preached before him, and said, "A lighted candle is brilliant; but when the extinguisher is put on, it is quenched and gives forth an ill savour. So it is with a friar; in the Order of St. Francis he gives a brilliant light, but I saw yesterday that our Bishop allowed his brethren to kneel before him when dishes were brought to him; therefore the parable of the candle fits him." The Bishop groaned, knelt down, and asked leave to speak. He excused himself and spoke well. "Brother Salimbene," said he, "lived with me for two years at the Siennese Convent, and he knows my past life. I told the friars not to kneel to me; I could not strike them with a stick for doing so; I pray you hold me excused." We went on with him to a Convent of White Monks; one of them had given up the Bishoprick of Turin. This monk, on hearing the story of Brother Rinaldo, sighed, and said to him, "I wonder at you for leaving the most noble Order of St. Francis, where you were in a state of perfection. I was once a bishop like you, but I chose to save my soul when I saw that I could not correct the follies of my clergy." Brother Rinaldo made no answer; but I spoke for him, and quoted a saying of Pope Innocent III. He resigned his bishopric two years later, and died a Franciscan. He was a most eloquent preacher; I could hardly have believed that Tuscany could produce such a man, had I not seen him; he it was who had me made sub-deacon.

On Whit Sunday, 1249, the Podesta of Genoa came to mass at our Convent; he stopped a friar who wished to ring the bell in his honour, saying, "Hear first my glorious news; the Bolognese have taken King Enzo prisoner, and a great many of his soldiers." That same year I and a companion left Genoa and went to Bobbio; we saw there one of the water-pots of the miracle of Cana. Whether it be a true relic God knows, to Whom all things are known. We saw here

many relics of St. Columban. We then came to Parma, our native town. John of Parma, the General Minister, found us here, and said, smiling, "You run about a good deal, my lads; now in France, now in Burgundy, now in Provence, now at Genoa, now at Parma; I should not run about so much myself, if I could stay quiet like you." He was satisfied with our excuse, however, for he used to love us. At Parma I held in my hands the Crown of the Empire, which was kept in the Sacristy of the Cathedral. It had been taken the year before, when Frederick was driven from Parma; I knew the little man who took it, nicknamed Cortopasso; it was all of gold and precious stones, with many images carved on it; it was as big as a pot, and would have covered all the wearer's head and face, but for some internal contrivance. We went to Bologna; the General rebuked Brother Rufino for withdrawing us from Genoa, and bade him place us where we could study, and not run about so much. Rufino kept my companion at Bologna, to correct his Bible; he sent me to Ferrara, where I lived for seven years.

In 1250 the Parmesans were overthrown by the Cremonese, losing 3,000 men. The captives were bound in the gravel-pit near the Taro, as one of them told me: the whole population seemed to have been captured. The Cremonese tortured them shamefully, drawing their teeth and ramming toads into their mouths. The exiles from Parma were more cruel to their countrymen than the Cremonese were. This year, when St. Louis was taken by the Saracens, I compiled a chronicle from the time of Augustus to that of the Lombards. I had then to stop, because I was poor and had no more parchment. I afterwards compiled other Chronicles in the best way, as I think, cutting out superfluous, contradictory, and lying statements, though I had to leave some things which are ingrained into the hearts of men. In one Chronicle I set forth the twelve sins of the Emperor Frederick. At the end of this year he died, though many would not believe it, since the Sibyl had foretold, "He shall resound among the nations; he is alive, and is not alive." At his death many evils ceased. I have seen him, and once I loved him, for he wrote letters in my behalf to Elias the Franciscan General. One of the prophecies about Frederick was, "In him shall end the Empire, because, although he shall have successors, they shall be stripped of the Imperial name and Roman dignity." \*

\* After Frederick the Second, no Emperor was master at once of the kingdoms of Germany, Italy, and Burgundy.

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In 1251 a vast crowd of shepherds assembled in France, and declared that they would cross the sea and rescue their king from the Saracens. When I heard of this, I said, "Woe to the shepherds that leave their flock! Can they do aught when the King of France and his knights have failed?" They were furious against the Dominicans and Franciscans for having preached the Crusade; but they were soon brought to nothing. This year Pope Innocent IV. came to Ferrara on his way home from Lyons. He bade the Minorite friars meet him at his entry, and keep close to him,—which we did, all through St. Paul's Street. A friend of mine, a Minorite, was the Pope's confessor, and afterwards became Bishop of Assisi. The Pope preached from a window of the Bishop's palace; the Cardinals stood round him, and one of them, his nephew William, after the sermon, made the confession in a loud voice. There was a vast crowd. The Pope took for his text, "Happy is the people whose God is the Lord; the people whom He hath chosen for His inheritance." After sermon, the Pope said, "The Lord has guarded me when I was leaving Italy, and when I dwelt at Lyons, and when I was returning hither. Blessed be He for ever." He added, "This is my city; I beseech you to live in peace, since the Lord Emperor of yore, that enemy of ours, who used to persecute the Church, is dead, as we have been most credibly informed." I was close to the Pope, so that I might have touched him, because he liked to have Minorites around him. Another friar nudged me and said, "Mark that the Emperor is dead, though you would never believe it; so put away your Joachim and study wisdom, my son." I trembled, and could scarcely believe the news; for I was a Joachite, and thought that Frederick was to do much more harm than he had already done. The Cardinals sent us many hogs which had been given them, and these we shared with our Sisters of the Order of St. Clara. The Pope's steward told us, "To-morrow the Pope leaves for Bologna; send to me, and I will give you the bread and wine which we no longer want."

At the end of 1253, we at Ferrara heard that Pope Innocent IV. had died at Naples, and that Alexander IV. was the new Pope. He had been the Cardinal Protector of the Franciscan Order, and he enrolled St. Clara among the Saints. I knew Azzo, the Marquess of Este, who was Lord of Ferrara by leave of the Papal see, a good man, humble, and fond of peace. Once I read to him Abbot



Joachim's exposition of the burdens of Isaiah. We two and another Minorite friar were alone under a fig tree. His wife was Donna Mabilia, who was devoted to me; she always confessed with us, and repeated our office. They are buried together in our convent at Ferrara. She was a fair lady, kind and courteous, always ready to give alms. She had in her palace a laboratory in a secret place, as I have seen with my own eyes, where she made rose-water for the sick; she was on that account little loved by the apothecaries; but she did not care. After her husband's death she had a house built near our convent. I never saw any lady who so reminded me of the Countess Matilda, as described in chronicles. My three favourite heroines are the Empress Helena, Galla Placidia, and the Countess Matilda.

In 1256, Philip de Fontana, Archbishop of Ravenna, the Pope's Legate, came to Ferrara; he assembled all the citizens, great and small, and the Paduan exiles. I and a Jewish friend were close to him as he stood in the cathedral porch. He said, in a loud voice, that the Pope had sent him to raise a Crusading army against Eccelin da Romano, and promised an indulgence and remission of all sins to the warriors. "Let none say that it is impossible to fight against a fiendish man, whom even the devils fear: God will fight for us. I tell you, as I honour God and St. Antony of Padua, I hope to conquer that limb of the devil, even if I have none in my host but those whom Eccelin has made widows and orphans; for the cry of his wickedness has ascended up to heaven." The hearers rejoiced, and the Legate led an army against Padua, where Eccelin had left five hundred brave knights. There were three sets of walls, and water within and without. Eccelin no more thought to lose Padua than God thinks He shall fall from heaven. A Paduan friend of mine, Clarello, a lay Minorite brother, made himself standard-bearer of our host. He seized upon a peasant's mare, and rode about with a pole instead of a lance, shouting, "On, soldiers of Christ, of the blessed Peter, of blessed Antony; at them! at them! let God arise!" The army was so inspired by this that they were ready to follow him anywhere. There was another lay Minorite brother in the army, who had been, when in the world, Eccelin's master-engineer for warlike machines. This man was ordered by the Legate to strip off his Franciscan dress and make the machine called a Cat. This he did; the fore part of it carried fire; the hind part was full of armed

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men. Padua was quickly taken, in St. Antony's octave. It was most mercifully treated.

In 1256 I was at Reggio, where I was given power to name the man who should make peace between that town and Bologna. I named Martin di Fano, the lawyer, who had kept me hid in his house from the Anconitan pirates. The Emperor's palace at Reggio, given by him to the Bishop, was by the latter sold to the Minorites, and it became their convent in May this year. When Cardinal Octavian was Legate at Bologna, I often ate with him, and he always placed me at the head of his table, with another friar between me and him. He had a daughter who was a nun, and who asked me to accept of her devotion; but I refused. She said, "At least let us pray for each other's salvation." Upon this I quoted the blessed Arsenius to her.

In 1258 I was at Modena, where I met Fra Girardino di Borgo San Donino, who compiled an heretical book on Abbot Joachim. We wished to dispute on this; so I took him behind the dormitory, where we sat under a vine. I asked, "When and where shall Antichrist be born?"

"He is now grown up, and soon will work the mystery of iniquity."

"Do you know him?"

"I have never seen him, but I know him well through the Scripture."

"What Scripture is that? I know the Bible well."

"Bring me a Bible, and I will show you."

I brought him one, and he expounded the whole of the eighteenth chapter of Isaiah, as referring to the King of Castile. "Without doubt," he said, "that monarch is the accursed Antichrist foretold by all the Doctors." I answered, "I hope to God that you will find yourself mistaken." At this moment the other friars came to us very sorrowful, and brought the news that the Archbishop of Ravenna had been taken by Eccelin da Romano. "See," said my friend, "that the mysteries are now beginning." He then went on to ask me if I knew a Veronese, living at Parma, who had the spirit of prophecy, and he begged me to procure for him the man's books, in writing which the author used to spend whole days in a monastery near.

Some time afterwards I went to that monastery of Fontana Viva, and found an old friend there, Albert Cremonella, who had been

received by Brother Elias into the Order on the same day that I was. He said on beholding me that he seemed to see an angel of the Lord. I asked him to get me all the works of the Veronese prophet. "The man is dead," said he, "and I have scraped out all his writings from the parchment, and I will tell you why. There was a brother who was well skilled in the art of scraping parchment, and he wished to bequeath his craft to some disciple. I was the only one in the monastery who chose to learn; and I scraped out all the books of the Veronese after his death; we had great scandal from his prophecies."

I thought; "Jeremiah's roll was burnt, but he who burnt it did not go unpunished." Afterwards, a poor man arose in Parma who had the spirit of prophecy; he was a cobbler, without learning. I gathered much from him as to future events. He is called Asdente, from his huge teeth, and he dwells near the head of the bridge.\*

In 1259 I was going from Modena to Bologna, when I met three Archpriests, friends of mine, returning from a Council. They said that this had been held to tax the prebends of the Church for a crusade against the Tartars; but that the seculars had taken the opportunity to lay four charges against the Dominicans and Franciscans. The first was that the friars say nothing of tithes in their sermons. I answered, "That is not our business, but yours, since you enjoy the tithes. We have greater themes than tithes. Many of the prebends bestow their riches on their kinsmen and harlots. I go begging for a whole year without getting a loaf from the house of such." "The second charge," said they, "was, that you bury our parishioners, and carry off our fees." "This privilege," said I, "has been allowed by the Popes, that each man may be buried where he chooses." The third charge was, "That you friars withdraw our penitents from us to confess to you." "As to this, the Popes have given us leave to do it, on account of the crimes of the parish priests. I remember Friar Umile, of Milan, went about the Alpine country preaching and shriving. A woman came to him with a knife in her hand. After absolving her, he asked the reason of this. She said, 'I should have killed myself if you had invited me to sin, as other priests have done.'" As to the fourth charge, that we took on us the duty of preaching, I answered, "The Lord hath brought in better men than the seculars, because the clerks of our time lead bad lives,

\* Dante places Asdente in hell, in "Inferno," xx.

and have no knowledge, yet they grudge us our living. Many in our Orders are so learned, that they might become bishops and cardinals if they were seculars. We have no cellars or granaries, but we do the work of the clergy for them. They complained to Pope Innocent IV. that all the people went to our masses; they got letters from him, forbidding us to celebrate masses in public on holidays until the third hour; but Pope Alexander IV. instantly recalled those letters; and the Vice-Chancellor, who instigated them, died at Assisi."

When I had made my speech to the Arch-priests, they said, "We have never heard such things; blessed are they who have listened." They were always my friends, and I have often eaten and preached in their parishes.

In 1259 I was at San Donino, where I composed another book of *Tœdia*, like that which Pateclo had done.\* This year there was such mortality in Italy that we had two men die in the church at vespers; the Minorites throughout the Bolognese province could not say mass, they were so injured by the cold; and this lasted for months. Three hundred men died in San Donino alone; thousands in Milan and Florence. The bells were not rung lest the sick should be frightened.

The year 1260 was that of the Flagellants; high and low alike scourged themselves; and the priests had scarcely time to eat, owing to the people coming to confess. On the Tuesday after All Saints all the men of Modena, great and small, with their Podesta, their Bishop, and the banners of all the brotherhoods, came to Reggio and scourged themselves through the town. Most of them went on to Parma. The men of Sassolo carried me off from Modena, with the Guardian's leave, because they all loved me so much. They took me afterwards from Sassolo to Reggio and Parma. The scourging went on for many days in each city; any one abstaining was thought worse than the devil, and was pointed at, and generally came to a bad end. Pallavicino alone, the Lord of Cremona, set up a gallows to hang any Flagellants who might come to that town. Many Parmesan youths wished to go thither and become martyrs. But the Podesta of Parma said, in my presence, "Let us not give that blind man an opportunity of sin. Am I not right, my brethren?" I answered, "You have spoken wisely, Signor." And so he prevented

\* Pateclo was one of the earliest of Italian poets.

any men from going to Cremona. They say that the rule, of the Holy Ghost, foretold by Joachim, began in this scourging.

When I was at Parma the exiles of the Emperor's party were allowed to return; but they wished forthwith to hand over the town to Pallavicino. The citizens began to tremble and conceal their goods. I hid my books. But there arose a poor tailor, who took in his hand the Cross and the Gospel, raised five hundred armed men, and went round to the house of every one of the opposite party, making him swear to obey the Church and the Pope.

I deposited on the high altar of the Minorite Church at Parma the relics of Elisha, which Philip, the Archbishop of Ravenna, had given me. There is this inscription on them:—

*"Hic virtute Dei patris ossa manent Helysei,  
Quæ Salimbene detulit ossa bene."*

I could not bring Elisha's head, for that had been carried off before. The Archbishop was a man who cared more for wars than for the relics of the saints. He had a palace at Argenta, near the Po, and there in October, 1264, I was breakfasting with a Pisan friend, who used to teach boys grammar, and lived with the prelate. Having just come from Ravenna, I said, "Let me speak with the Archbishop, and give him the news." "He will let no one out of his household see him," said the Pisan, "so tell it me." "Pope Urban IV. is dead," said I. On hearing this the Archbishop rejoiced, because he himself had done much for the Church, and had been promised the Papacy by a wizard at Toledo. He sent me a present of sea-fish and half a tart. The bearer asked if I were sure the news was true. "Most certainly," said I. The Archbishop then sent me another gift, and then a third, with fresh inquiries as to whether the Pope were really dead. Becoming bored by all this, I said, "In that ship on the Po there is a sick Franciscan friar, who has come in four days to Ravenna from the Court, and he was at the Pope's burial." They ran off to this friar, and I ate in peace with my friend. When we came to Ferrara the whole city was full of the news, because the Archbishop had sent it on, wishing to have the credit of bringing it first.

When I lived at Ravenna I went to see the Bishop of Mantua, who had been sent thither by the Roman Court, to preach the Crusade; he had been a great friend to my brother Guido. We

stood together at the window of the palace, and he asked me where was the Franciscan Convent. I showed him the great church and the huge bell-tower, saying, "Archbishop Philip has given us that site, for he loves our Order much." "Blessed be he," said the Legate, adding, "Do you believe, brother Salimbene, that we Bishops can be saved, who are so laden with worldly cares, unless you friars help us with your hoods and cowls?" I comforted him, and he begged God to bless me for it.

In January, 1265, I was at Faenza; ten of us friars met the Archbishop of Ravenna, who was very angry with one of his servants for having taken away some of his pontificals. I said to him, "Have patience, father, because patience hath her perfect work." He answered, "The wise man says, He that spareth the rod hateth his son." He bade me sing mass; and he afterwards said, "Shall I foretell to you the future Pope?" "Yes, father," said we. "Gregory IX.," he said, "much loved the Order of blessed Francis; Gregory X. will now succeed, who will love the Minorites exceedingly." He spoke of himself, for the cardinals at that time could not agree on the election. I answered, "Father, by God's help you will be that Gregory X." But it came not true, for Clement IV. succeeded, to whom I was introduced at Perugia later. Archbishop Philip afterwards took the thurible and incensed every one of us friars as we entered the church. He leant on me. Seventy-two nuns, belonging to a convent near, attended mass. He invited all the friars to breakfast, but only two of them would go with me.

When I was at Faenza I used to go on pilgrimage to Assisi and to Mount Alverna, where the Seraph impressed the stigmata on St. Francis. The sacristan at this place showed me a quantity of the Lord's Cross, which St. Louis had bestowed on a friar who had gone to him from Pope Alexander IV. At Mount Alverna I saw all the holy places and said mass on Sunday, and after the Gospel I preached to the people, and then I returned through Forlì to Faenza.

In 1265 Pope Clement sent another Legate to each city in Lombardy and Romagna, asking for a certain proportion of knights to aid the French who were coming against Manfred, the Emperor Frederick's son. The Legate came to Faenza, where I was, and he assembled the Dominicans and Franciscans in a room of the Bishop's Palace. I heard all; he used few words as the Frenchmen do, not many words as the Cremonese do. He reviled Manfred, and said

that the French army was coming quickly; he spoke the truth, as I saw with my own eyes on the next Christmas day. He made sure of victory; and so it turned out, though some of his hearers joked, saying, "*Ver, ver, cum bon baton,*" that is, "The French will conquer with good sticks." They came in vast numbers to aid King Charles, who was at Rome; I saw them coming when I was going to preach at San Procolo of Faenza on St. John the Evangelist's day. They overthrew and slew Manfred about Easter, 1266. There was a great miracle; we had that year no ice or snow or rain or mud; but travelling was as pleasant as in May. This was done by the Lord, to ruin that accursed Manfred for his many sins. Yet he had some virtues, which I have set down in my treatise on Pope Gregory X.; for an historian ought to be impartial, and not set down all the bad and suppress all the good.

In 1269 I lived at Ravenna; I often read the Pontifical of that city. There was a fierce war going on between the Venetians and Bolognese; at length peace was made, and the Bolognese destroyed a castle which they had built, and gave its materials to our convent. About this time multitudes of the small birds that destroy the grapes flew about in the evening; one could hardly see the sky for their number. They spread over three or four miles at once. I used to go out with the other brethren to see this; had I not seen it I could not have believed it.

In 1270 I was at Imola, where we had a visit from Archbishop Philip of Ravenna. He was old and near his death; he was being borne along on a wooden litter by relays of ten men, wishing to die at Pistoia, his birthplace. He was with us for one day in our convent, and we gave up to him all the Refectory.

In 1274 I was at Faenza, which was besieged by the Bolognese and the party of the Church; the whole country round was harried. This curse of war was the ruin of all Romagna; when I lived there I was told by a secular priest that he had taken twenty-seven fine cats in the farms burnt down, and had sold their skins. In 1275, Guido Count of Montefeltro led the troops of Faenza, defeated the Bolognese, and took 4,000 prisoners.\* This was on St. Antony's day, and therefore the Bolognese will not hear it mentioned.

In 1278 Cardinal Latino, nephew to Pope Nicholas III., was

\* This is the sinner seen by Dante in the "*Inferno*," Canto 27.

Legate in Romagna. He annoyed all the women by a constitution which he made, forbidding them to wear garments trailing behind them for more than a handbreadth. No priest was allowed to absolve them until they had reformed their dress; they thought it worse than death. A woman told me that her tail was dearer to her than all her other clothes. Cardinal Latino also made every woman wear a veil on her head, but they remedied this (although they could not remedy the loss of their tails) by wearing veils of silk woven with gold, and so they drew to themselves the eyes of beholders more than ever.

In 1281 I came to live at Reggio, and in the neighbourhood three years later I met there the Bishop of Spoleto, whom Pope Martin IV. had sent into France to inquire into the miracles wrought by the body of St. Louis, who was to be canonized; he told me that he had 73 miracles written out, with the proper evidence. When the body was being carried through Reggio and Parma many years earlier, it wrought cures of cancer and other diseases. In this year, 1284, Asdente was asked to breakfast by the Bishop of Parma, and there foretold Pope Martin's death and the destruction of Modena. He prophesied the great Pisan defeat at the hands of the Genoese three months before it happened, in 1284. I pity the Pisans, God knows! for I lived for four years in a convent in their town, and I saw the Emperor Frederick's fifty fine galleys come to their help from Naples.

In 1285 King Charles died at Foggia, and was buried at Naples; a first-rate soldier, who took away the reproach of the French, which they incurred under St. Louis beyond sea. Pope Martin IV. also died, and chose to be buried at Assisi, because he loved our Order. This year I helped to make the peace between Modena and Sassolo. The divisions which the Emperor Frederick sowed in Italy last to this day, and cannot be ended, for the wickedness of men and the iniquity of the devil. I have set down the sins of Frederick above, and also in a shorter chronicle; but not all his sins, for they were full many. But he was not so cruel as Eccelin da Romano. This year died my friend Barnabas de Regina, who could speak well in French, Tuscan, and Lombard, and in the dialects of children and women; he could imitate the style of the old preachers of the time of the Hallelujah, which I remember. The Parmesans show no devotion to the servants of God. Therefore I, brother Salimbene of Parma, have been for forty-eight years in the Minorite Order, and



have never wished to live among the Parmesans. A city in France, of the size of Parma, would maintain comfortably a hundred Minorites.

In 1287 I lived at the Franciscan Convent in Montefalcone; one day I went to Reggio, and saw a riot in the streets; a house was burnt down to its foundations, and its guardian was slain; the prisons were broken open, and several mansions were sacked. Many ribalds wished to plunder the Minorite Convent; the friars rang the great bell; a knight rode up and put to flight the assailants with his mace, as I saw. He asked me, "O brethren, why have you not good sticks of your own?" I answered, "We are not allowed to strike any one."

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Soon after mentioning this riot, Salimbene ends his chronicle. But there cannot be a doubt that he is the author of another chronicle, "*Memoriale Potestatum Regiensium*," printed in the eighth volume of Muratori's Collection. From this I take the following extract:—"In the summer of 1289, I being present, Pope Nicholas IV. at Rieti crowned Charles II. King of Jerusalem and Sicily, granting him all held by his father of the Roman Church."

This chronicle ends in 1290, and Brother Salimbene, as we may suppose, died about that year, having lived to the age of sixty-nine.

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## ON SOME TUDOR PRICES IN KENT.

(1577 chiefly.)

By J. M. COWPER, Esq.,

*Fellow of the Historical Society.*

NICHOLAS TYLMAN, one of the famous yeomen of Kent, whose yearly income passed into a proverb, being "somewhat sick in body, but of good and perfect mind and memory," made his last will and testament on the 26th March, 1577. On the 6th of April he died. His executors seem to have been good and honest men, and would, there is little doubt, have carried out the instructions contained in his will, even if left to themselves. Fortunately for us, they were not left to themselves. At Faversham, the parish in which Tylman lived and died, was established a court, called "The Court of Orphans." To this court all executors seem to have had to give an account; in other words, to render an inventory of all the moveable property in the possession of deceased persons at the time of death, with the values of the articles attached. These inventories were entered in the Wardmote Books, and so have come down to us.

If Tylman's inventory had had no values attached to the corn, cattle, &c., mentioned in it, it would have served no further purpose than that of showing what he possessed, what went to furnish his house, what went to furnish his farm; an end which is answered by the inventory published by Mr. Froude (i., 39). But it has the prices, if not of each article, yet of the furniture in each room, and of the horses, cattle and sheep, corn, hops, &c., which were in Nicholas Tylman's possession when he died. Although this inventory contains ample materials for more than one paper, I do not propose to confine myself to it, but to supplement my quotations from it by a reference to other documents.

And first I would refer to cattle. What was the price of an ox or a cow in, say, the year 1577? In 1561, four kine, called milch

kine, were sold in the open market of Faversham for six pounds thirteen and fourpence. Sixteen years later, when Tylman's cattle were valued, two kine were appraised at four pounds, or two pounds each; and another "lot" of sixteen kine and a bull brought thirty pounds. But it will be better if I give the prices of the cattle of various ages in a table:—

A.D. 1577.		£	s.	d.
A sucking calf . . . . .		0	6	8
A weaning calf . . . . .		0	10	0
A "bud," <i>i. e.</i> , a cow calf 12 months old . . . . .		0	13	4
A 2 year old . . . . .		1	6	2
A milch cow . . . . .		2	0	0
A Welsh steer . . . . .		1	10	0
A steer . . . . .		1	18	1
A bullock . . . . .		2	1	0
A runt . . . . .		3	10	0

Two things are to be borne in mind in reference to this list, and to the prices of horses and sheep which follow. 1. When they were sold the animals fetched ten per cent. more than the given prices. 2. These prices are not those of one or two superior or inferior animals, but the average prices of many. Later on in this inventory I find that—

686 lbs. of beef, at  $2/8$  the score, cost four pounds 11 shillings and sixpence, and that 49 lbs. of beef cost six shillings and eightpence, or nearly  $1\frac{3}{4}$ d. per pound. If we continue this investigation we arrive at some interesting results as to the weight of the ox. The bullock which fetched two pounds five shillings must have weighed  $40\frac{1}{2}$  stone (8 lbs. to the stone) at the price beef then was, allowing the skin and offal for the butcher's labour and profit. But how about the "runt"? Four of these animals were valued at fourteen pounds; they probably realized ten per cent. more. In our day "a runt" frequently means a small ox or cow; but I am inclined to think that in 1577 it was equivalent to what we now understand by the term ox,—an animal of perhaps more than the average size, and in a condition fit for the butcher. If we add one-tenth to the price, we find the "runt" must have been large enough to produce seventy stones of beef—a quantity of meat far in advance of

what we might expect, when 300 years later, with all our improvements, it requires a good ox to produce eighty stones of beef.

Sheep may now occupy our attention.

	s.	d.
380 lambs . . . . .	2	6 each.
130 young sheep ; 7 1 year old . . . . .	5	0 "
185 ewes . . . . .	5	5 "
340 ewes and rams . . . . .	4	5 "
340 wethers . . . . .	6	8 "

There is no price per pound for mutton, but assuming it to have been as high as 1½d. per pound, the wether sheep, worth say seven shillings, weighed seven stones. If we place the price of mutton at one penny per pound, the sheep must have weighed ten stones and a half; the average weight of a Kent sheep at the present day being 9½ stones. But adding ten per cent. to six and eightpence, the price of one wether, we get seven and fourpence; and if we assume mutton to have been 1½d. per pound, the sheep must have weighed 70 pounds, and I am assured that the sheep reared and killed in this neighbourhood now do not average more than 76 lbs.—another indication that our improvements in this direction have not been very great.

And here let me say one word about the fleece, which has often received more attention than the flock. We all know what vast changes were introduced when the value of the English wool became known. I only mention this as a reason why the question should not be overlooked here. Tylman had, as I have said,—

130 young sheep.

525 ewes and rams.

340 wethers.

—  
995 in all (exclusive of lambs).

On the 20th of June, 190 of the wethers "were drowned by violence and force of a great tide," but I do not think this loss may be regarded by us, as most likely they were shorn before the calamity overtook them. The wool, then, from these 995 sheep realized eighty pounds, an amount which is equivalent to one shilling and sevenpence farthing per fleece. The average value of a fleece now is 6/6.\*

\* A fleece now weighs a little over 5 lbs. ; 5 lbs. at 1s. 3d. = 6s. 3d.

From the price of cattle to the price of corn is a natural step, and our inventory here again gives us much information of a trustworthy kind. And first as to standing or growing corn :—

	£	s.	d.
Wheat, 80 acres valued at	160	0	0
Podder,* 80 acres . . .	53	6	8
Barley, 80 acres . . .	106	13	4

But more of this anon. I proceed now to corn sold by the quarter. As several quantities were sold, and one lot bought, I need only give the price per quarter of *wheat*.

	£	s.	d.
Lot 1 . . . . .	1	7	0 per qr.
„ 2 . . . . .	1	5	9 „
„ 3 . . . . .	1	5	9 „
„ 4 . . . . .	1	7	8½ „
Average price . . . . .	1	6	4 „
Barley fetched . . . . .	0	13	6½ „
Oats . . . . .	0	5	0 „

(In 1555, oats cost the Corporation of Faversham 5/4 per quarter.)

Tares . . . . . 8/9 „

Peas at per quarter do not occur, but if I revert to the item of standing corn, we may learn something more than the price of peas.

	£	s.	d.
Growing wheat, per acre . . . . .	2	0	0
Growing barley „ . . . . .	1	6	8
Pod-ware, growing „ . . . . .	0	13	4

In other words,

Pod-ware 1.

Barley 2.

Wheat 3.

Applying these figures to the prices already quoted, we have—

	s.	d.	£	s.	d.
Tares 8 9 × 3 = . . . . .	1	6	3		
Barley 13 6½ × 2 = . . . . .	1	7	0½		
Wheat, average price . . . . .	1	6	4		

\* Pod-ware; Peas, Tares, &c.

—sufficiently near to show the truth of our statement. But this standing corn, methinks, will yield further information yet. The whole of the corn, that in the barns and that in the field, was appraised at £352, but it realized, exclusive of  $41\frac{1}{2}$  qrs. of wheat and 10 qrs. of barley paid in kind, £110 15s. 1d. in excess of the valuation. In other words, the corn which was valued at £352 brought, when carried to the market, £524. On turning to another part of the document I find that after harvest the executors paid for threshing the following quantities of corn:—

Wheat	.	.	275 $\frac{1}{2}$	quarters.
Barley	.	.	255	"
Peas and Tares.	.	.	73	"

Is it not reasonable to suppose that these quantities represent the 240 acres of growing corn? If they do, then—

3 qrs. 4 bush.	wheat	was grown on	1 acre.
3 qrs. (abt.)	of barley	"	"
1 qr. (abt.)	of pod-ware	"	"

It may be worth while to note that the same land now grows seven quarters of wheat to the acre.\*

I find only two entries relating to grass. The executors paid Robert Webb for mowing and making  $7\frac{1}{2}$  acres of grass £0 15 4. For seven acres of hay they received . . . . . 2 13 4. The two items refer to the same grass there can be little doubt.

There is an entry concerning the price of land,—

Farm of two acres of land sown with peas . . . . . 10s.

This is the only item of the kind that I have observed in the MSS. under examination. Perhaps wheat lands were a little higher.

In 1555, 1556, and 1572, the loaf cost one penny, but although I find the price of scales to weigh the bread, I do not find what a loaf weighed. With wheat now at 60s. the four-pound loaf costs sevenpence. If we multiply 26s. 4d., the price of wheat in 1577, by ten, we obtain £13 3s. 4d., the representative value of one quarter of

\* At this point a disturbing element comes in—the sale of 30 bushels of wheat for £3 13s 4d., or less than 20s. per quarter. Her Majesty's purveyors were not generous enough to pay even such a price: when wheat averaged 26s. 4d. they paid Tylman's executors 6s. 8d. per quarter. Perhaps the price was lower immediately after harvest. The next item to the one mentioned above is—

xiv. bushels of malt . . . . . £1 18s. 0d.

wheat. At this price the four-pound loaf would cost a little over 2s. 6½d.

Beer varied according to quality.

	s.	d.
In 1561 a kilderkin cost . . . . .	2	4
In 1572 " " " " " " " " " " " "	2	3
In 1575 a kilderkin of "town beer" " " " " " " " " " "	2	0
But in the same year a kilderkin of "strong beer" delivered "to the sexton, when they rung for the Queen," cost . . . . .	3	6

We may, perhaps, put it at 1½d. per gallon.

Suffolk cheese in 1572 cost 1½d. per lb. We thus have beef, bread, cheese, and beer, four things dear to the stomach of an Englishman then as well as now. How do the old prices tally with present ones?

	Then.			Now.	
	s.	d.		s.	d.
Bread . . . . .	2	6½		0	7
Beef (1½d. × 10) . . . . .	1	3½		0	10½
Beer (1½d. × 10) . . . . .	1	3		1	3*
Cheese (1½d. × 10) . . . . .	1	3		0	9
	<hr/>			<hr/>	
	6	4		3	5½

The question naturally arises now, what did these men earn? Their food was as dear again as ours; did their wages correspond?

By the term "labourer" I think we must understand what we now mean when we speak of a "journeyman," a journeyman carpenter, a journeyman blacksmith; *i. e.*, a man who works for a master; one who does not employ labour, but is a *skilled* workman.

In 1557, a labourer received for three days' work at the great bell, 2s. 6d., or 10d. per day. In 1571, a carpenter received for twelve days' work 12s., or 1s. per day. But carpenters' labourers for 44 days' work were paid tenpence per day each.

Again, in 1572 a man was paid for 3 days' work at the Cross, 3s. 4d.; tenpence a day. In the same year a labourer, not a skilled one surely, received fourpence for digging a hole for the gallows; the price which was paid in the same year for digging a grave. Unskilled labourers then as now received much less; still, in 1572, six

\* Unless bought by the "glass," when 3s. 4d. seems about the price.

labourers for 2 days' work received six shillings, or sixpence a day each, while another lot of ten who "shovelled the streets," received also sixpence a day.

In 1575 a soldier's pay was eightpence a day.

The wages of farm servants are not easy to understand. Those which follow are taken from the accounts of N. Tylman's executors :—

### I. Servants' wages paid in harvest.

	£	s.	d.
R. Mount, 6 weeks . . . . .	1	4	0
F. Bennett, 6 " . . . . .	1	2	0
J. Sparke, 4 days . . . . .	0	2	0
A. Seaton, 2 " . . . . .	0	1	0
E. Friend, 4 " . . . . .	0	2	6
E. Holt, for his wages with his cart 3 days . . . . .	0	12	0
E. Swift " " 3 " . . . . .	0	12	0

Here Mount received eightpence a day, Sparke and Seaton sixpence, Bennett and Friend sevenpence-halfpenny. So far all is clear, but when we come to the last two names, Holt and Swift, we require to know how many horses were employed with a cart. A "team" seems to have consisted of five horses, for at Tylman's sale we meet with—

	£	s.	d.
5 horses, their harness and waggon . . . . .	24	0	0
5 " " " " . . . . .	25	0	0
4 horses, a mare, their harness, and a cart . . . . .	15	0	0

In 1575, horse hire for stages of 6, 9, and 11 miles was 1½d. per mile. In 1574, the charge for "horsemeat" for one night was, at Gravesend, 8d. It is probable, then, that a farm horse, worth perhaps about £4 10s., would not be let out at less than one shilling a day. This would give three horses to each cart, and one shilling wages for the man; but all is conjecture, and I leave it.

### II. Wages of men employed in reaping.

	s.	d.
For reaping wheat, about . . . . .	3	0 per acre.
" mowing barley " . . . . .	1	0 "
" binding barley " . . . . .	1	0 "
" reaping peas " . . . . .	3	4 "
" reaping tares " . . . . .	3	6 "

How much a man could do in a day we do not learn.

III. Threshing comes next in order. Generally this seems to have been done as piecework.

	s.	d.
Wheat cost threshing . . . .	1	0 a quarter.
Peas and tares „ . . . .	1	0 „
Barley „ . . . .	0	8 „

Only once do I find a man engaged threshing by the day, and then for 24 days he received 8s., or fourpence a day; but I suspect he was wholly or partly "found" in addition to his 4d. a day.

Sometimes these farm servants were boarded in the house. I have only met with one entry of this kind:—

	£	s.	d.
Received of George Carter and John Grey, for six weeks' board in harvest . . . . .		1	16 0

What wages did these men earn? If they paid sixpence a day for their own board, and had wives and families at home, how much did these latter have to live upon? Our inventory is silent here, but other entries may give a clue to the amount.

W. Essex received for 13 days' work 4s. 4d., or 4d. a day.

Richard Hardy, for four months' wages, received 28s. 3d. = about 3½d. a day.

John Dorm, for 1 week, 2s. = 4d. a day.

John Ward, for 3 weeks' wages, 3s. = 2d. a day.

John Ward, for 2 „ „ 1s. 6d. = 1½d. a day.

Edward Ward, 2 „ „ 3s. = 3d. a day.

From these entries it follows that labourers' wages varied from 1½d. to 4d. per day, and, although not specified, I think we are justified in saying, their board. This applies only to the time of harvest. I am the more inclined to think this because of an entry of money paid to one Grey; namely, 17s. 10d. for three months' wages. I have mentioned that John Grey paid 18s. for six weeks' board; if this is the same John Grey, then he earned 3d. a day in addition to his board.

For some now unknown reason the Corporation of Faversham in 1574 clothed a man named Friar at the town expense. This early tailor's bill is not uninteresting:—

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	s.	d.
Paid for canvas for Friar's doublet and breeches . . . . .	4	0
Paid for making the same . . . . .	1	0
Paid more for a shirt for him . . . . .	1	3
Paid for a pair of hose for him . . . . .	1	0
Paid for his shoes, powlings,* and points, and cap and buttons	2	1
	9	4

In the same year the Court of Orphans made an entry of money expended in clothing children:—

	s.	d.
2 $\frac{3}{4}$ yds. Grey friese @ 1/3 . . . . .	3	5
1 $\frac{1}{4}$ yds. Russet @ 2/4 . . . . .	2	11
Canvas to make a doublet . . . . .	1	5
Paid for making a doublet and jerkin . . . . .	1	3
2 Ells of canvas to make shirts . . . . .	2	0

Two years earlier (1572) I find the entry—

2 yds. white fustian . . . . .	1	11
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And another,—

A sheet to sew him in . . . . .	1	3
To Freeman's wife for sewing him . . . . .	0	3

"He," I may remark, was a youth who was accidentally drowned, and was buried at the expense of the Corporation. There is another entry referring to the winding-sheet:—

	s.	d.
A sheet to bury Ellen Freeman . . . . .	1	0
For thread . . . . .	0	1

Was this, I wonder, the Freeman's wife who two years earlier had received threepence for sewing the drowned youth in his winding-sheet?

But to return to the Court of Orphans for further particulars of prices of wearing apparel, beds, bedclothes, &c.

Abel Pykes seems to have been a dredger of oysters, a "free man" of the Borough. He died in the year 1577. The inventory

\* Powlings, old-fashioned shoes, held on the feet by single latches running overthwart the instep, which otherwise were all open. See Cotgrave in *v. Poulaine*.

of his household goods contains some matters of interest, and matters which I shall be excused for quoting :—

	£	s.	d.
1 Old flock bed and bolster . . . . .	0	2	6
A pair of blankets . . . . .	0	8	0
To our vicar * one bed-pan . . . . .	0	2	0
The hangings of the chamber as it hanged . . . . .	0	5	0
A feather bed with one coverlet. . . . .	1	6	0†

Alice Bridge died in 1578. At the sale of her goods the following prices were obtained :—

	£	s.	d.
1 Feather bed, 1 bolster, 1 pillow . . . . .	1	9	0
1 Pair of sheets and lattyn whorter (?) . . . . .	0	4	4
1 Coverlet . . . . .	0	2	0
1 Pair of sheets and 1 pair of tongs . . . . .	0	2	6
1 Blanket . . . . .	0	3	0
1 do. . . . .	0	3	0
1 Pair of old sheets . . . . .	0	1	8
1 do. do. . . . .	0	1	4
1 Table cloth . . . . .	0	2	0
1 Old pillow beer . . . . .	0	0	4
1 Flock bed, 2 bolsters, 1 pillow, 1 hamper . . . . .	0	14	4
1 Pillow . . . . .	0	1	6
6 Napkins . . . . .	0	3	6

Alice Bridge was, doubtless, in superior circumstances, for a note explains that her wearing linen, silver pins, jewels, and all the wearing clothes were delivered to her only daughter Catharine.

I come again now to Tylman's inventory, and for the present confine my extracts to wearing apparel, bedding, and such like.

Tylman's own clothing is entered in brief terms :—

	£	s.	d.
His wearing apparel . . . . .	6	13	4

But his bed furniture occupies some considerable space :—

A wywyd (?) wide) bedsteddle, 2 featherbeds, 1 blanket, 1 pair of sheets, 1 bolster, 1 pillow, 1 coverlet. . . . .	2	0	0
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\* No doubt sold to "our vicar."

† Abel Pykes' boat also was sold by the executors. The particulars are—

1 Boat, 2 Cables, 1 Anchor, 1 Mainsail, 1 Foresail, 1 Hawser, 2 Oars, 1 Scoope, 1 Shovel, £5 os. od.

£ s. d.

Two feather beds, 2 bolsters, 2 pillows, 2 blankets, 1 coverlet, 5 curtains of red and yellow saye, and a tester of red and yellow buckram . . . . .	4	0	0
One chest (containing) nine pillow-coats, and seven pairs of canvas sheets good and bad . . . . .	2	13	4
One old chest and seven pairs of sheets . . . . .	2	0	0
One old chest, and five sheets . . . . .	0	10	0
One chest and seven shirts . . . . .	1	0	0
One wicker chair and hangings . . . . .	0	6	8

The above, with a "wywyd" table, a form, and a "joined chest," were in the chamber over the parlour, most likely the master's own bedroom. The chamber over the cellar does not seem to have been used as a sleeping-room. It contained—

12 Quarters of hemp, 1 "cradell," 14 skeins of coarse yarn,			
4 pairs of boots, with other lumber . . . . .	1	10	0
And 14 yards of coarse canvas . . . . .	0	10	0

The chamber over the old kitchen comes next in order:—

1 Bedsteddle, 2 feather beds, 2 blankets, 2 bolsters, 1 pillow and pillow bure, 2 coverlets, and a tester of buckram . . . . .	2	0	0
1 Chest and 3 pairs of old sheets . . . . .	0	6	8
1 Chest and the hangings . . . . .	0	2	6
1 Chest, 1 diaper tablecloth, 6 other tablecloths, 12 diaper table napkins, 5 towels, 4 table-cloths of coarse tow . . . . .	2	13	4

The chamber over the milkhouse contained an odd assortment:—

1 Old chest with a corslet, 2 moryans,* 2 calyvers † with their furniture . . . . .	2	10	0
3 Old bedsteddles, 3 flock beds, 3 coverlets, 3 bolsters, 3 blankets, 1 pair of sheets, and 3 bolsters . . . . .	0	13	4
30 Pounds of hops † with other lumber . . . . .	0	10	0

\* Iron skullcaps.

† Small guns.

† Hops are mentioned four times. First as above 30 lbs. of hops with other lumber . . . . .	0	10	0
60 lbs. of hops . . . . .	1	0	0
60 lbs. of hops . . . . .	1	0	0
5 lbs. of hops . . . . .	0	1	3

So that fourpence a pound, or thirty-seven shillings and fourpence per cwt., was the usual market price then.

In the chamber next the hall door were—

	£	s.	d.
2 Bedsteddles, 3 flock beds, 3 blankets, 3 bolsters, 3 pairs of sheets, 3 coverlets, and certain stuff . . . . .	2	0	0

In the chamber over the entry,—

4 Bedsteddles, 4 flock beds, 4 blankets, and 4 coverlets . . . . .	2	0	0
--------------------------------------------------------------------	---	---	---

I have been thus minute in enumerating all these items respecting beds, because I think they prove conclusively that even the farm servants must have been bedded with a considerable amount of comfort. While the master reposed on his two feather beds, and had his pair of sheets, blanket, coverlet, bolster, and pillow, the meaner men rested on a flock bed, supplied with sheets, a blanket, a coverlet, and a bolster. And though sometimes as many as four beds were "made up" in one room, I do not think we have any reason to mourn over the hardships which men then endured in the matter of beds, or to congratulate ourselves on the improved condition of the agricultural labour of the present day.

Shoes for the farm servants are frequently mentioned.

	s.	d.
Paid to John Mason for a pair of high shoes for Thomas Hall . . . . .	1	8
Paid to John Johnson for a pair of shoes for Thomas Hall . . . . .	1	2
Paid to John Johnson for 2 pairs of shoes . . . . .	2	8

John Bull and William Lee received for making of apparel £1 4s. 1d., but of what the apparel consisted we are not told.

The mention of Books is rare. As we might expect, they were expensive. In 1549 the Churchwardens paid—

For the Boke of the Paraphrases of Erasmus . . . . .	vs.*
ij Procession Books . . . . .	ij s.

And in the same year—

For ij Books of the Communion @ iijs. viijd. each . . . . .	ixs. iiijd.
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\* I do not understand this. Erasmus's Paraphrase upon the New Testament was published in "1548-9, folio, 2 vols., £2 10 0." This commentary was appointed to be placed in all our churches, and the churchwardens of Faversham spent "vjd." on a desk for the Paraphrases. How the volumes were bought for 5s. I cannot explain, unless by supposing (an unlikely supposition) the State issued copies for churches at a reduced rate. See Bohn's *Lowndes*, Art. Erasmus.

Unfortunately, the details of Tylman's books are not given. The entry runs—

	£	s.	d.
A desk, the Bible, and other books . . .	1	6	8

In 1566 "a paper book for the Town" cost eight shillings, and three years later a quire of paper is entered as having cost fourpence.

In addition to his Bible and other books, Tylman's parlour contained—

	£	s.	d.
2 Joined tables, 2 forms, 5 joined stools, 4 chairs, 2 carpets, 1 other table, and 12 cushions. . . .	1	10	0

Also—

2 Cupboards with the presses with 2 cupboards clothes with bason and the covers * . . . . .	1	10	0
And 6 silver spoons and a mazer † . . . . .	1	0	0

The chairs in the house seem to have numbered only five—these four in the parlour and the wicker chair in the master's bedroom. Pyke, the dredger, was content with stools, but Mrs. Alice Bridge had, in addition to six joined stools valued at eightpence each, one chair worth sixpence, and another, a "great chair," worth tenpence. Stools, forms, and settles were the ordinary seats in these houses. We can conceive what Tylman's parlour was like, but his kitchen seems to have had no seats, no tables; perhaps "dressers" did duty for tables, but none are mentioned. The kitchen contained—

	£	s.	d.
8 Brass pots, great and small, 1 cawtherne, ‡ 1 brass pan, 4 stupnets, 2 chaffing dishes, 2 lavers, 1 frying-pan, 1 chaffer, and a mortar and pestle . . . . .	6	13	4
Also 5 spits, 2 racks, 2 brandirons, 3 dripping pans, 2 pairs of pothangers, 2 fire shovels, 1 fire rake, 1 gridiron, 1 pair of tongs, 2 trivets, and other lumber . . . . .	1	10	0

The Buttery contained—

31 Pewter platters, 28 pewter dishes, 8 fruit dishes, 12

\* This entry is not easily understood.

† A bowl or goblet.

‡ Caldron.

	£	s.	d.
saucers, 6 salt-cellars, 2 basins, 1 quart pot, 1 pint pot, 4 chamber pots, 8 porringers, 12 spoons, 1 goblet, 1 pewter bottle, 7 candlesticks, 2 latten basins, 6 covered jugs, 4 stone cruses, 5 bottles, 3 wooden tankards, 2½ dozen trenchers . . . . .	5	0	0
Also, 1 old chest, 2 mustard quernes,* an iron to make cakes, a safe, an iron beam, scales, and weights, a brine tub, and other lumber . . . . .	1	0	0

Tylman's "carts, plows, harrows, rolls, spades, shovels, hatchets, axes, mattocks, and other things unknown," lying in the yard, were valued at £3 6s. 8d., and the "sum of all the household stuff, apparel, and wood" (the wood was valued at one pound) amounted to £74 10s. 6d.

In the above account it will be seen that many of the comforts of life are to be found, some not so abundantly as now, others as abundantly. The brass pots have given place to the less costly but preferable iron; the pewter dishes and plates and the trenchers have all but vanished before the brittle earthenware. Carpets were scarce, but not unknown; chairs were forcing their way into the houses of the yeomen. Knives† are not mentioned, forks were unknown; spoons, goblets, saucers, salt-cellars appear, but no glass in any of the inventories under notice. The evident comfort of the sleeping apartments all through the house is noteworthy, and gives us reason to believe that Nicholas Tylman was one of those thoughtful and considerate masters who ever have been, and I trust always will be found in the ranks of our gentlemen farmers.

To bury him his executors expended the very moderate sum of nineteen shillings and eightpence!

The few items subjoined have no connection with one another. They are mentioned here as isolated prices, but not without interest:—

	s.	d.
1 Couple of ling . . . . .	1	10
8 Couple of salt fish . . . . .	7	6
2 Bushels of bay salt . . . . .	5	4

\* *Querne*, a hand-mill.

† Alice Bridge had two (shredding) knives.

	s.	d.
3 Bags * of white salt . . . . .	1	8
A gallon of oatmeal . . . . .	0	4
Candles, per lb. . . . .	0	3
2 Rennets to make cheese . . . . .	0	6
A load of farm hay . . . . .	11	0

The above items are from Tylman's accounts.

In the Corporation accounts of this date (1575—1577) are frequent entries of the purchase of gunpowder, then, as now, made at Faversham:—

	£	s.	d.
9 pounds of powder . . . . .	0	12	0
30 " " . . . . .	1	10	0
8 " " @ 1s. 2d. per lb. . . . .	0	9	4
Paid to the soldiers for 4 lbs. of powder . . . . .	0	5	8
Do. do. 3 lbs. gunpowder . . . . .	0	4	1
Do. do. 16 lbs. powder . . . . .	1	1	4
Do. do. 8 lbs " . . . . .	0	10	8
Four pounds of lead . . . . .	0	0	5
8 lbs. powder . . . . .	0	10	0

So that the price of powder varied from one shilling to one shilling and fivepence the pound.

	£	s.	d.
1557. 2,000 Tiles to amend the tenements . . . . .	0	16	0
10 Ridging tiles . . . . .	0	1	3
2 Seams † of lime . . . . .	0	2	0
A lock and key made to the Lady-well . . . . .	0	0	7
Paid to the smith for a key to the gaol . . . . .	0	0	6
A pair of hinges to the Court door . . . . .	0	1	0
1559. Iron and workmanship, in other words, iron wrought for any particular purpose, was charged per lb. . . . .	0	0	3
3 tons of wood @ 9/ per ton is run out at . . . . .	1	9	0
1564. Half a load of lime . . . . .	0	5	4
A lock and key for the conduit door . . . . .	0	1	0
1569. A padlock . . . . .	0	0	9
1571. Ironwork, per lb. . . . .	0	0	4
Spikes, per lb. . . . .	0	0	3
1575. A load of lime . . . . .	0	9	0

\* The MS. has *Bogges*.

† Seam, 8 bushels.

1573. The Mayor and ten jurats went to London "to the trial of the town's suit." Among their expenses the following occur :—

	£	s.	d.
At Westminster for all our dinners. . . . .	2	0	0
At supper . . . . .	0	15	4
Given to the Jury for their dinner * . . . .	1	12	0
At supper . . . . .	1	4	0
For our beds . . . . .	0	2	2
Our breakfast at Gravesend . . . . .	0	2	0
For shoeing of my horse . . . . .	0	1	0
1574. Dinner at Gravesend (for the Mayor and ten jurats)	0	12	2
To ij, viz., a man and a boy for carrying my male,† clokebag, and other things into Holborn from Billingsgate . . . . .	0	0	8
A man to carry my books to Serjeant's Inn . . . .	0	0	6
My dinner, and fire to dry me at Gravesend . . .	0	2	0
For carrying my male, cloak bag, and books from Billingsgate to Temple Bar . . . . .	0	0	8
Paid a man for carrying our books to Westminster Hall . . . . .	0	0	8
Given to Mr. Serj. Barham's man for oft "remembering" his master of our suit . . . . .	0	5	0
Paid for my meat, drink, and lodgings at London by the space of 5 weeks . . . . .	3	3	4
1577. A pound of candles . . . . .	0	0	3
2 Candlesticks . . . . .	0	1	8
1 Candlestick . . . . .	0	0	10
1 Linen wheel . . . . .	0	1	0
1 do. . . . .	0	1	4
1 Bedstead . . . . .	0	1	2
1 Truckle bed . . . . .	0	2	6
4 Bell candlesticks . . . . .	0	3	8
1 Saltcellar . . . . .	0	0	8
1 Handsaw . . . . .	0	0	2
1 Settle . . . . .	0	0	8
4 lbs. of old pewter . . . . .	0	1	2

\* It need hardly be added the town gained its suit.

† A kind of portmanteau.

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I may perhaps be allowed to close these rambling notes by adding two from a manuscript in the Canterbury Cathedral Library.\* The first is—

## A note of dyuers Colours.

A pownde of litmouce drye . . . .	xd.
A quarte of linceed oyle . . . .	viijd.
A pownde of yeallow or reade ocer . .	ijjd.
A pownde of Turnsoll . . . .	ijs. vjd.

The second is—

The names with the prices of those colors y<sup>t</sup> serue in Armorye.

12 May, 1591.

A pownde of blew verditur . . . .	xiii jd.
A pownde of greene verditur . . . .	xiii jd.
A pownde of oyle byce . . . .	xvjs. †
A pownde of verdegreec . . . .	ij. vii jd.
A pownde of serues † . . . .	xij d.
A ounce of lacke w <sup>ch</sup> is only for crimisson colour . . . .	vs. iiij d.
A pownde of orpinent . . . .	viijd.
A pownde of safforne . . . .	xxvjs. vii jd.
A pownde of Raset . . . .	xd.
A pownde of gume . . . .	xvjd.
A hondered of siluer . . . .	xvjd.
A hondered of partye goulde . . . .	xx d.
A hundred of large goulde . . . .	xijs. vii jd.
A dosen of shell goulde . . . .	xijs.
A dosen of shell siluer . . . .	vjs. vii jd.
A pownde of white vernish . . . .	xij d.
A pownde of greene bice . . . .	ijs.
A pownde of vermilion, the best . . .	iiij s.
A pownde of lamp blacke . . . .	viijd.
A pownde of read lead or white leade .	xij d.
A pownde of Sinabar . . . .	iijs. iiij d.

By me William Burch, the 20 Maij, 1591.

\* The MS. is marked A xiv. in the Catalogue.

† After this amount is written Alls. xvijjd.

‡ Ceruse.

## THE JACQUERIE.

BY PROFESSOR DE VERICOUR,

FELLOW OF THE HISTORICAL SOCIETY.

EVERY century seems generally characterized by some pre-eminent feature or aspiration, or marked tendencies, the study of which deserves the special attention of the student of history, as they facilitate the comprehension of the general progressive movements of humanity. Thus the fourteenth century is conspicuous by its numerous popular insurrections, evincing the yearnings of the people and their efforts to obtain greater justice at the hands of their masters. They appear as follows:—Wilhelm Tell, in 1308; Jacques van Artevelde, in 1354; Rienzi, 1354; Marino Faliero, 1355; the Jacquerie, 1358; Michele di Lando, 1378; and Wat Tyler, 1385. Recent researches and documents have thrown a new light on those historical episodes of the fourteenth century, and on none more so than on the Jacquerie.

The sufferings endured by the country people in France during ages and ages had engendered among them a concentrated fury and hatred that could not fail to break out sooner or later. When the explosion of their despair took place, they committed fearful reprisals and outrages, which have long weighed heavily and unjustly on their memory. To this very day the word "Jacquerie" does not generally give rise to any other idea than that of a bloodthirsty, iniquitous, groundless revolt of a mass of savages. Whenever, on the Continent, any agitation takes place, however slight and legitimate it may be, among the humbler classes, innumerable voices, in higher, privileged, wealthy classes, proclaim that society is threatened with a Jacquerie. It seems only just to recall the long and cruel sufferings which called forth this social tempest as well as the vengeance of the nobles that followed.

During the fourteenth century the French peasants and serfs,

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despite their incessant labour, had no other means of existence but what was left them by their lords, who dealt as they pleased with the product of the labour and industry of both peasants and serfs; they were overwhelmed by tithes, *corvées*, and duties and taxes of every description. Some of these were regular, and returned on fixed days. On the least pretence, new charges were imposed on the poor peasant, so much so that by their constant recurrence they ceased to be uncertain and irregular. When a lord gave his daughter in marriage, or invested his son with the dignity of knighthood, he ordered rejoicings and festivals, which were to the vassals a subject of sorrow and wretchedness, as they were forced to provide every expenditure for those solemnities. The French nobility was overwhelmed with debts, results of gambling and profligacy, as well as of the growing taste for luxuries and sumptuous residences; the peasants were ground down: imprisonment, corporeal sufferings, a variety of tortures invented for the occasion, were the usual means employed to extort from them their last penny.

They were subjected to other iniquities: the peasants could not make a will, nor marry, without the permission of their masters; they had often to submit to the ignominious *droit du Seigneur*. No redress could be obtained; no appeal was possible. The protecting magistracies did not exist, and the oppressors formed, as it were, a league which stifled every groan, every complaint, every protestation or yearning. The very powerlessness of the peasants in having their bewailings listened to, the degrading resignation that was a natural consequence of it, had given rise to the dastard, jocose sneers of the cruel, merciless masters. Everywhere the peasant was denominated Jacques Bonhomme, meaning the good-natured fool, the beast of burthen (silly Jack), expressive of his patience in enduring every abuse and brutality, and of his awkwardness in carrying and using arms, a very great source of amusement in those days. When a Jacques was spoken of it was intended to imply a ridiculous, stupid, clownish human being, until the day when that word became a fearful subject of horror, and by a sudden change and contrast it signified a ferocious beast. Froissard, whose celebrated chronicle abounds with errors, and has so long misled historians of every nation, asserts, without any grounds whatever, with unjustifiable levity, that a certain Jacques Bonhomme was chief of the Jacquerie. But that denomination of the peasantry, according to several less

known chronicles, and especially according to the Continuator of Nangis, was usually employed long before Froissard and the Jacquerie.

The poor peasant had also to suffer from the extortions of the Crown, besides those of the feudal lords. King John, having exhausted every means of filling his exchequer, had recourse to forgery. He gave secret orders to diminish the quantity of pure metal contained in the current coins. Theft and spoliation were established as a legitimate fact, and as a right to the advantage of royalty. It would take a volume to narrate all the iniquities and atrocities of that period. They will be found, among others, in the works of the Economist, J. B. Say, in Alexis Monteil and Bonnemère's "*Histoire des Paysans*."

Jacques Bonhomme submitted patiently to all. He was the real sufferer. Moreover, nature came, as it were, to add new miseries. Torrents of rain poured down incessantly during months and months; several springless years engendered a famine. There seems to have been a dark fatal gloom over the whole fourteenth century. Awful and destructive convulsions took place in several parts of Europe; whole cities disappeared, mountains moved away. The year 1347 beheld, perhaps, the acme of human wretchedness. The black plague made its appearance, and destroyed nearly a third of the population of the globe. Another famine followed in 1349. Revolting scenes of that period have been related. Fathers were seen to kill and devour their own children; famished wolves penetrated into the villages, and snatched away infants whom their feeble, dying mothers could not defend; others, thinking the world at an end, plunged into debauchery and crime; the ecclesiastics had all fled; the monks of the mendicant orders alone remained faithful to their holy mission and were recompensed by the blessings and donations of the dying.

One of the great scourges in France during the fourteenth century was the existence of the great companies. There was then no regular permanent army. The nobility alone was armed, and accompanied by its knights, vassals, all of whom had along with them their plunderers, officially recognised. The infantry was composed of mercenary foreign bands, made up with the dregs of various countries, a mass of demons, belonging to the great companies, and never designated otherwise than as brigands or banditti. Froissard

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mentions them four times by the name of brigands. They hired themselves to the highest bidder, sometimes France, sometimes England, always plundering friends and foes. The nobility, whether out of fear or contempt—probably both,—would not hear of any arms being given to the people. The peasantry were even strictly forbidden from exercising with the crossbow, an amusement to which they were fondly addicted; consequently, they had no means, no prospect of self-defence. The whole population of France was prostrate, trampled upon, insulted, tortured, by the English, by the French, by its kings, by all the nobles and brigands.

Merciless cruelty is a disease of the human soul, fearfully contagious. At all times ferocity engenders ferocity. The day was approaching when the long smothered souls of the wretched peasants would break out in mad despair, when whole populations became suddenly transformed into ferocious animals.

But there was another cause which explains the sudden insurrection of the peasants, after years and years of brutalizing oppression. Their awe for their masters had gradually ceased to exist, and had been replaced by a new sentiment, unknown to them hitherto, that of a profound contempt for the nobles. The French nobility, long conspicuous for its chivalrous bravery, had now lost every *prestige* of heroism by its disgraceful flight at the battle of Courtray, where they abandoned their humble vassals, who were on foot, and who died unprotected. The battle of Poitiers, in which King John was taken prisoner, gave a greater intensity to the scorn of the serfs for their masters. They had seen the proud, heartless knights and nobles fly from the field of battle, or implore the mercy of the enemy. And when these very nobles, insensible to their disgrace, returned among the ruined people, to extort from them the price of their ransom, Jacques Bonhomme demurred for the first time; his heart was swelling, burning with a yearning for revenge, the only justice that can be comprehended by slaves. With regard to those writers who accuse the peasants of having been moved to a merciless revolt by cupidity, by a desire of having their share of the luxuries of their masters, they simply mutilate history in order to gratify their own passions and deeply rooted prejudices. Such an error, excusable in former days, when the original indisputable documents on the subject were not known, could not be so in our time.

Before the battle of Poitiers (19th Sept., 1356) King John had

remained deaf, as well as the nobles, to the sorrowful appeals of the people in the excess of their misery. He had also had his share in the extortions wrung from those lamentable victims. This king, whom Froissard denominates *le bon roi Jean*, as Virgil says of the pious Æneas, was one of the most worthless monarchs of France. Devoid of capacity, he was exclusively addicted to sensualities and luxuries, ever insatiable in his cupidity, not shrinking from any criminal means to obtain money, killing sometimes his own subjects, always ruining them. We have seen that he was as great a forger as Philippe le Bel. When King John found that the mass of the people were penniless, and that nothing could be obtained from the nobility—for the French *noblesse* has ever been an unproductive race, especially addicted to extortions and luxurious expenditures,—he had recourse to those who were known to have property and money, namely, the bourgeoisie, the burghers, the inhabitants of the cities. But the bourgeoisie could not be trampled upon. They lived together, communicated to each other their grievances, concerted their means of defence, appointed their chiefs, who were commissioned to present their claims to the Crown, and who proudly insisted on being listened to. The King was obliged to yield to their exigencies. In 1355 he convoked the States-General, as his last resource to extort money. Paris sent to them Etienne Marcel, Provost of the Merchants (*Prévôt des Marchands*), who became the soul of that great assembly. The *Prévôt* governed the Guilds (*Corps des Métiers*) and the whole city of Paris with a freedom unknown in our time. The burghers, flattered by the importance they were acquiring in the state, compounded with royalty; but they forgot the peasants. Etienne Marcel, after the battle of Poitiers, commenced the long struggle between the civil municipal power and the royal prerogatives, now in the hands of King John's son, Charles, Duke of Normandy, afterwards Charles V., who was declared Regent. Etienne Marcel strained every means to raise France from her prostration, and found himself supported energetically by Paris. The demands for money of the Regent were refused. A long hostility ensued between Paris and the Prince, intermingled with apparent reconciliations and feigned submission of the Regent, who conceded in moments of necessity and danger the demands of the city of Paris, to protest against them, and annul them, when all danger was over, burying in his heart the cherished

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future day of vengeance, which he long prepared, when the patriotic Prévôt fell a victim to treason and dastard ingratitude.

The civil revolution of 1356, this *Révolution Bourgeoise*, as it is denominated by Augustin Thierry and Henri Martin, was a precursor of the modern era, long ignored or misappreciated. Most historians of the old school have been guilty of great injustice on the subject. During those events which they have represented as a series of conspiracies, treasons, and crimes, the modern truth-seeker discovers very rare civic virtues, loyalty buried under calumnies, a noble and real patriotism, with a relative moderation. The misrepresentations of those historians arise chiefly from their implicit belief in Froissard, who, in writing his chronicle, yielded to the passions of parties and castes whose interests he had espoused. Etienne Marcel was certainly guilty of acts of cruelty, violence, and coarseness, but they were of common occurrence in his times, and they fall into a deep shade by the side of his lofty virtues. His image remains in history as a bright, passing star by the side of the figure of the crafty, treacherous, merciless, rapacious Regent, afterwards Charles V.

Etienne Marcel governed Paris from 1356 to August, 1358, when he was basely murdered. It has been asserted that he prepared and fomented the rising of the peasants. Nothing can be more senseless. There was at that period a deep gulf between the bourgeoisie and the peasant. The interests of both were the same: the nobility was deeply hostile to both, but their ideas and tendencies were totally different. The rural populations merely asked to live on the earnings of their labour, careless about the morrow as well as about the consequences of their revolt. They gave vent to a thirst of revenge; their insurrection was in its origin isolated and unpremeditated. The statements even of Froissard describing their wretched existence are a sufficient explanation of this revolt of despair. The bourgeoisie, on the contrary, were in possession of a political system. They were rich, enlightened, powerful through the association of the Guilds, and aspired at nothing less than the government of the kingdom. Hence, the nobility despised the peasant, but feared the bourgeois. Etienne Marcel could not anticipate the Jacquerie, since it was not concerted beforehand, nor exercise any influence over it, since his authority was limited to the city of Paris. At the same time he was too shrewd a politician



not to endeavour to derive some advantage from it in his deadly struggle with the Regent, but it was too late.

Froissard relates the horrible details of the Jacquerie with the same placid interest which characterizes his descriptions of battles, tournaments, and the pageantry of chivalry. The charm and brilliancy of his narrative have long popularized his injustice and his errors, which are self-apparent when compared with the authors and chroniclers of his time, whose productions are to be found in the *Trésor des Chartes*, where they had long remained unnoticed, and many of which have recently been brought to light by M. Bonnemère, and especially by Mr. Luce, the former having omitted all the documents referring to the atrocities of the nobles that followed the Jacquerie, and accumulating also to excess his wrathful vituperations on Froissard and the *noblesse*. The chronicles contemporary of the Jacquerie confine themselves to a few words on the subject, although, with the exception of the Continuator of Nangis, they were all hostile to the cause of the peasants. The private and local documents on the subject say very little more. The Continuator of Nangis has drawn his information from various sources. He takes care to state that he has witnessed almost all he relates. After describing the sufferings of the peasants, he adds that the laws of justice authorized them to rise in revolt against the nobles of France. His respected testimony reduces the insurrection to comparatively small proportions. The hundred thousand Jacques of Froissard are reduced to something like five or six thousand men, a number much more probable when it is considered that the insurrection remained a purely local one, and that, in consequence of the ravages we have mentioned, the whole open country had lost about two-thirds of its inhabitants. He states very clearly that the peasants killed indiscriminately, and without pity, men and children, but he does not say anything of those details of atrocity related by Froissard. He only alludes once to a report of some outrages offered to some noble ladies; he speaks of it as a vague rumour. He describes the insurgents, after the first explosion of their vindictive fury, as pausing—amazed at their own boldness, and terrified at their own crimes, and the nobles, recovering from their terror, taking immediate advantage of this sudden torpor and paralysis,—assembling and slaughtering all, innocent and guilty, burning houses and villages.

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If we turn to other writers, contemporary with the Jacquerie, we find that Louvet, author of the "History of the District of Beauvais," does not say much on the subject, and evinces also a sympathy for the peasants: the paucity of his remarks on a subject represented by Froissard as a gigantic, bloody tragedy, raises legitimate doubts as to the veracity of the latter. There is another authority on the events of that period which may be considered as more weighty, in consequence of its ecclesiastical character; it is the *cartulaire*, or journal, of the Abbot of Beauvais. He states that in consequence of a cruel and lamentable sedition on the part of the people against the nobles, and immediately after on the part of the nobles avenging themselves against the people, the Lord Abbot left the monastery and took refuge at Beauvais, and sojourned there during two years and more, as much on account of the said nobles and the people, as on account of the enemies of the kingdom of France, who, after this insane sedition, invaded the kingdom and plundered the monastery, as well as the whole country. They burnt the church and a great number of houses: he adds that the monks were obliged to sojourn at Beauvais with the Abbot during more than a year, living with great difficulty. Such is the substance of the narrative of the Abbot of Beauvais. It was written in the very locality of the vengeance of the peasants, by a contemporary of the supposed gigantic massacre; nevertheless, there is no trace in it of the horror and indescribable terror it must have inspired if the peasants had committed the atrocities attributed to them by the feudal historian, Froissard. On the contrary, the vengeance of the peasants falls into the shade, as it were, in contrast with the merciless reaction of the nobles, along with the sanguinary oppression of the English. The writer of the "Abbey of Beauvais," and the anonymous monk, "Continuator of Nangis," concur with each other in their account of the Jacquerie. Their judgments are similar, and they manifest the same moderation. Their opinions, moreover, are confirmed by a higher authority, a testimony that must be considered as indisputable, namely, the letters of amnesty of the Regent of France, which are all preserved; they bear the date of 10th August, 1358, and refer to all the acts committed on the occasion of the Jacquerie. In these he proves himself more severe upon the reaction of the nobles than on the revolt of the peasants. The letters state that the peasants destroyed the castles and killed a great number of women and children whom

they found within; but there is not the slightest allusion to the monstrosities related by Froissard, which the Regent could not have failed to stigmatise, as he is well known for having entertained an unscrupulous hatred to any popular movement, or any claims of the people. The manner, on the contrary, in which the Jacquerie are represented in this official document is full of signification; it represents the men of the open country assembling spontaneously in various localities, in order to deliberate on the means of resisting the English, and suddenly, as with a mutual agreement, turning fiercely on the nobles, who were the real cause of their misery, and of the disgrace of France, on the days of Crécy and Poitiers.

In truth, if the peasants had committed the horrors related by Froissard, they might be considered as having returned crime for crime, and, in a barbarous age, of having committed during a few weeks the atrocities which they had borne during ages. It has also been forgotten that many citizens took an active part in the Jacquerie. The great chronicles of France state that the majority were peasants, labouring people, but that there were also among them citizens, and even gentlemen, who, no doubt, were impelled by personal hatred and vengeance. Many rich men joined the peasants and became their leaders. The Bourgeoisie in its struggles with royalty could not refuse to take advantage of such a diversion, and Beauvais, Senlis, Amiens, Paris, and Meaux accepted the Jacquerie. Moreover almost all the poorer classes of the cities sympathized with the revolted peasants. The Jacquerie broke out on the 21st of May, 1358, and not in November, 1357, as erroneously stated by Froissard, in the districts round Beauvais and Clermont-sur-Oise. The peasants, merely armed with pikes, sticks, fragments of their ploughs, rushed on their masters, murdered their families, and burnt down their castles. The country comprised between Beauvais and Melun was the principal scene of this war of extermination. When the peasants paused awhile, after the first explosion of their fury, they understood and felt that they had no pardon or mercy to expect. They spared neither exhortations nor menaces to increase their number; thereby many honest, pacific men, well-to-do merchants and citizens, were forced to follow them; they endeavoured to organize themselves, and introduce some discipline in their ranks. Every village desired to have a chief, and they always selected in preference the most considerable and respected man they could find. Undoubtedly the

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consent of those chiefs was not always voluntary, but the result of menace and intimidation, whilst a great number of them took willingly a part in the Jacquerie, with a view to check the vengeance of the peasants, and endeavour to pacify the country. Every village having elected its chief, the peasants felt the necessity of finding a supreme commander, capable of regulating and directing their movements. They elected as commander-in-chief of the Jacques a certain Guillaume Calle. He is the only principal chief mentioned by all the chronicles, and nothing is known of him previously to his being called to the supreme command.

Guillaume Calle spared no effort to induce the neighbouring cities to join the insurrection. His propositions were rejected at Compiègne, a royalist city, where his unfortunate delegate had his head cut off and his property confiscated; but they were eagerly accepted at Senlis, which city remained faithful to the peasants to the last, and through its influence and exertions the excesses of the peasants gradually diminished. The cruelties which marked the first days of the insurrection had inspired a great horror to the Parisians, and to Etienne Marcel; but when the latter beheld the intelligent efforts of Guillaume Calle to discipline and organize the scattered bands of the peasants, he felt that great advantages could be derived from this unexpected succour. He opened communications with the commander, and many of the inferior chiefs that had been selected: he exhorted them not to disgrace their cause by murder and pillage, but urged them to destroy all the castles, for both parties had one common object, that of crushing the nobility. Subsequently he despatched to them a body of men-at-arms, with experienced chiefs, who would give them examples of obedience and discipline, besides material assistance. This expedition of Parisians and mercenaries was to join Guillaume Calle. On its way it burnt and razed a great number of castles round Paris, but always protecting the dwellings and property of the peasants, farmers, or servants, and dependants of the doomed castle.

The Parisian citizens had effectually given examples of moderation and humanity to the peasants; no lives were taken away during these expeditions. They even spared their most cruel enemies. At this period the Jacquerie might have triumphed, if their triumph was possible, which is very doubtful. But no perseverance could be expected from those rude peasants. After three weeks their warlike

ardour had collapsed ; they thought of nothing else but their harvest, and all wished to return to their fields. Other considerations, not very honourable, contributed also to their prostration. They had been very bold so long as they had seen their enemies disarmed and scattered, and, above all, astounded on beholding the audacity of their victims. Wolves assailed by lambs could not have been more thunderstruck. But after a brief period the nobles recovered from their stupor. They commenced a vigorous resistance, and the peasants fell and fled like the jlots before the Spartans. The Regent, who had cruelly refused to protect the unfortunate country-people from the attacks of the English, as well as the brigands, now sent the royal troops to defend or avenge the nobles. This frightful civil war was so much a war of castes, that the first attack against the Jacques was headed by Charles, King of Navarre, the cousin, and brother-in-law, but mortal enemy of the Regent. His intrigues and treacheries to supersede the legitimate heir of King John to the crown of France were endless.

The King of Navarre, surnamed the Bad by the victorious legitimists—although he deserved that surname less than many of his contemporaries,—was feudal sovereign of the largest portion of Normandy. In his ambition to usurp the throne of France he had formed a close alliance with Paris and Etienne Marcel. The insurrection of the peasants might have been of the greatest advantage to his ambitious views. But the prejudices of race were more powerful ; he could not forget that he was of noble blood ; many of the companions of his youth had fallen under the blows of the Jacques. He resolved to avenge them. Guillaume Calle was in Clermont-sur-Oise ; Charles of Navarre, after having destroyed all the bands of peasants in the neighbourhood, invested this centre of the insurgents. Calle fell into the hands of the Prince. It is stated by Secousse (" Histoire de Charles le Mauvais ") that the inhabitants of Clermont gave him up to his enemy, while the chronicles of the time affirm that Guillaume Calle was treacherously invited to a conference, that he came, and, that during a mock discussion, on a signal of Charles the Bad, the well-armed chivalry assailed him and his companions, and slaughtered them. They add that Calle, whom Châteaubriand considers a pure hero, suffered slow, fiendish tortures. This was the last decisive blow struck on the peasants ; they scattered away in flying bands ; they were tracked and slain indis-

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criminally by the nobles, although they had ceased to defend themselves.

Etienne Marcel, who had conceived great hopes from the co-operation of the peasants, as they were being organized and well commanded, received the news of their destruction with great bitterness. It was an irreparable loss to him in his indomitable struggle with royalty and the nobility. There remained yet some bands of peasants who were drawing upon themselves the forces of the nobles. He resolved to take the citadel of Meaux before the latter were completely free. This fortress, called the market of Meaux, was at one of the extremities of the city, separated from it, and commanding the rivers Marne and Seine. The Regent had made it one of his principal strongholds; it was his great *depôt* in his war with Paris, and it was considered almost impregnable; so much so that the Princess, wife of the Regent, his sister Isabella, the Duchess of Orleans, his aunt, and more than three hundred noble ladies, as well as a certain number of knights, had sought a refuge in the fortress or market of Meaux. The citizens of the town of Meaux, on the other hand, had to suffer greatly from the violence and exactions of the nobles within the fortress; they were devoted partisans of the popular cause, and held secret negotiations with Etienne Marcel, who now ordered two corps of men-at-arms to march on Meaux. It has long been supposed that the attack on the fortress of Meaux was the last act of audacity of the Jacques; but all existing documents prove that it was an expedition conceived by Etienne Marcel, and executed by the Parisians, among whom there were, no doubt, many peasants attracted by the hope of vengeance, and others led away by force, but in no considerable number. The army of the Parisians seems to have been about 800 men, including all. This motley assemblage appeared before the gates of Meaux with banners unfurled. Although the mayor of the city had sworn fidelity to the Regent, he nevertheless ordered the gates of the city to be opened, and bread, meat, and wine to be distributed to the strangers. The citizens fraternized with them. However, it was soon found impossible to attack the fortress with such an army, which was, it is seen, very far from the 10,000 men, a number which is only to be found in the imagination of Froissard, whose whole account of this celebrated episode is grossly erroneous. He relates, for instance, that the peasants rushed upon the city, and that a host of noble ladies of high blood had

barely time to take refuge in the citadel ; and he gratuitously adds that all these noble ladies of the court of France would have suffered every outrage at the hands of the 10,000 peasants who penetrated into the city. It has been seen that there is not a word of truth in all this.

A successful attack on the fortress being considered impossible, it became necessary to watch this formidable stronghold, and prevent any reinforcement being introduced into it, whilst the besiegers might receive from Paris the succours they had sent for in pressing terms. An unexpected circumstance put an end to the expected eventualities. There happened to be, at this very time, at Châlons, two adventurers, who were returning from an expedition or crusade against the pagans of Prussia. These two adventurers were Gaston, Count of Foix, surnamed Phebus, in consequence of his beauty, and the Captal de Buch, a Gascon nobleman, devoted to the English. Informed of the danger to which so many noble ladies were exposed in the fortress of Meaux, their chivalrous hearts could not remain insensible to it. They formed a troop of one hundred and fifty or two hundred lances, men well inured to fighting, covered with steel, and well armed. As they were approaching Meaux, the knights within the fortress recovered their courage, sallied out, and attacked also the besiegers. They met the Parisian archers, who fought bravely, sold their lives dearly, but were soon exhausted and crushed. The unfortunate besiegers were struck down like beasts of burthen in their flight. The noble victors fell afterwards upon the inoffensive citizens, set fire to the suburb nearest to the fortress, the unfortunate inhabitants being thrust back to perish in the flames. The mayor of Meaux, and many of the principal citizens, were hanged. The work of destruction and carnage seemed at an end. There was a pause, when suddenly all the nobles and knights recommenced to kill and destroy. All the houses and churches were plundered. The city was set on fire. It burnt during a fortnight, and was totally consumed. They afterwards overran the whole country round Meaux, slaughtered indiscriminately every human being, burnt the villages, and committed ravages yet greater than what had been experienced from the English and from the great companies.

As has been stated, the letters of the Prince Regent, in which the atrocities of the Jacquerie are so often mentioned, stigmatise

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the cruelties of the nobles, which appear in those indisputable documents to have been in much greater number than those committed by the peasants. The nobles long continued systematically to rob, plunder, and indulge in the most abominable outrages. They continued their ravages in the district of Rheims, and when the inhabitants of the neighbouring towns endeavoured to oppose them, and protect the unfortunate victims, they were massacred in their turn, no difference being made between the innocent and the guilty. It was of no avail to have been devoted to the royal cause ; on the most improbable report or calumny of some secret enemy,—on the most frivolous pretext, murder and pillage became the daily lot of innocent people. The Regent confesses, in his Letters of Remission, that the nobles burnt and destroyed cities that never had the slightest share in the Jacquerie. In some few cases the nobles were baffled in their barbarous expeditions. The city of Senlis opened its gates to them as they presented themselves in the name of the Regent, and once within the town, they drew their swords, and commenced to burn and plunder ; but the inhabitants had made the most skilful preparations to defend themselves. They surprised and surrounded their enemies, and gave them no quarter. Very few of them escaped.

The defence of Senlis, and other successful resistances of less importance, nevertheless inspired the French nobility with serious alarms as to the final issue of the struggle, although the bourgeoisie and the peasants were merely on the defensive. The French nobles appealed to the nobles of Brabant, Flanders, and Hainault, whose interests of caste were the same, and who immediately responded by the prompt despatch of a strong body of chivalry. And the massacres commenced again. In less than ten days twenty thousand peasants were butchered. The Prince Regent protested but feebly against these excesses. It was only at a later period, when he felt the necessity of restoring peace in the kingdom, that he issued his Letters of Remission and his Ordinances to put an end to the depredations of the nobles. But at the same time, in order to procure money, he sought to condemn to a heavy fine the districts he accused of having taken part in the Jacquerie. Such exactions appeared so hard and odious, that, rather than submit to them, peasants and serfs abandoned their homes and fields, and fled away from the province, others from the kingdom, thus avenging



themselves of the cruelty and cupidity of the Prince, as well as of their masters. It was a lamentable exodus, accompanied by endless sufferings and persecutions. It may be considered as the closing scene of the Jacquerie.

The Jacquerie had commenced on the 21st of May. On the 9th of June, the day of the departure of the expedition against the fortress of Meaux, it was already terminated. It was, therefore, in reality, an insurrection of less than three weeks' duration. The reprisals of the nobles had already commenced on the 9th of June, and continued through the whole of July, and the greater part of August. Froissard states that the Jacquerie lasted over six weeks, thus comprising in his reckoning three weeks of the ferocious vengeance of the nobles, and casting on Jacques Bonhomme the responsibility of the massacres of which he had been the victim, as well as those he had committed in his furious despair. No greater instance of unscrupulous passion and injustice could be found in history, in thus depicting the cruelties of the peasants, without any allusion to the Counter-Jacquerie, during which the nobles avenged themselves because their victims had dared to avenge the iniquities and infamies they had so long endured.

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## THE FREE GRAMMAR SCHOOL OF BRISTOL, AND THE THORNS, ITS FOUNDERS.

BY J. F. NICHOLLS, ESQ.

ICELAND, which lies but ninety-five miles distant from the nearest part of the American continent, was well known to the merchants of Bristol, who traded thither in the early part of the fifteenth century.

During William Cannyng's second Mayoralty in 1450, King Henry VI. specially exempted that distinguished merchant by name in a treaty made with Denmark, which prohibited all other Englishmen from trading with Iceland.\*

That the hardy mariners who traversed these seas should have found no floating signs of a more westerly land is scarcely conceivable. Something upon which they could base a theory there must have been, for in 1480 John Jay, jun., a merchant of Bristol, despatched two ships under the command of T. Llyde, said to be then the most scientific seaman in England, in search of a country far to the west of Iceland † For nine weary months Llyde cruised about the Atlantic in vain.

Pedro de Ayala, the Spanish ambassador to England, in no friendly spirit towards her maritime enterprise, informs his master that for seven years previous to 1490 the Bristol men had been in the habit of sending out annually from two to four ships in search of the mythical island of Brazil.‡ Columbus's discovery of the Western Indies, and Cabot's of the Northern Continent followed, and the theories of men who had been treated as visionaries were verified.

Several patents for colonization and for trade were immediately granted by Henry VII. to sundry merchants of Bristol. Among these early speculators, or rather, to use his son's words, "one of

\* Rymer's "Foedera," tom. xi., p. 226.

† William Worcester, pp. 153—185.

‡ "Spanish Calendars," pp. 177.

those who had set forth the expedition of England," was Robert Thorn, a Spanish oil merchant and soapmaker, and a wealthy member of the woollen cloth trade in Bristol. He was a descendant of Rollo, Duke of Normandy, and his family claimed consanguinity with the noblest in the kingdom.\* In 1515 he became Mayor of Bristol, and in 1523 he represented the borough in Parliament.

Though the King had called the Commons together "to remedy mischiefs in the common law, and to make new laws for the government of the Commonwealth," nothing of the kind was effected. Henry attempted to force a subsidy of £800,000, at the rate of 4s. in the pound upon every man's goods or lands, but "the burgesses were all against it," and the people threatened that they should not go home alive if they gave way.

During his attendance on this Parliament, Robert Thorn died in 1523, and was buried in the Temple Church, London, wherein, Hakluyt says, stood his monument, bearing a Latin inscription of which the following is a literal translation: †—

"Here lies Robert Thorn, whom sometime the City of Bristol deservedly selected to discharge the office of Mayor, for the commonwealth was always an object of great care to him, and his native land was dearer than all wealth.

To give aid to the helpless, to allay the bitterness of private strife  
To help every one with his prudent counsels was always his delight.  
Do Thou, O Christ, who graciously hearest the prayer and vows of  
the distress'd

Grant to him a place in the Country of Heaven.

"By will he devised certain property for the erection, foundation, continuance, and supportation, of a Free School of Grammar to be established in Bristol." ‡

He left two sons, Robert and Nicholas, who with John Goodryche were his executors. Master Goodryche was one of those Priors who afterwards preached against Latimer, when in 1526-7 he denounced Purgatory, &c., in the streets of Bristol. §

At the time of his father's death Robert Thorn, jun., was residing in Spain. Born and bred in Bristol, he had become a Merchant Tailor of London, but his great wealth was accumulated at Seville,

\* "History of the Thorn Tree and Bush," p. 62.

† Hakluyt, p. 220.

‡ Nicholas Thorn's Deed Poll, 1st July, 1561.

§ Seyer, vol. ii., p. 217.

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‡ *Ibid*

where he lived in friendly intimacy with the most scientific seamen and geographers of his day. When a boy in Bristol he might have seen the triumphant return of Sebastian Cabot from his grand discovery—in the fitting out of whose expedition his father had probably borne a share, as well as in that under the patent of 1501 with Hugh Elliott; certain it is that Thorn was on the most friendly terms with his great townsman, who held then the post of Pilot Major in Spain. Americus Vesputius, Columbus, jun., and Peter Martyr, were also his familiar friends.

Cabot was at this time projecting a new expedition to the Indies by a south-westerly course. Baffled for a time by the intrigues of Portugal, and the scarcity of funds, he finally sailed in 1526 on his famous expedition to the Rio de la Plata.\*

To fit out this expedition, and to advance the interests of science, Robert Thorn and his partner advanced 1,400 ducats, or more than one-seventh part of the whole cost.† “A small caravel added to the squadron by an individual” belonged also to Thorn, as he tells us that “two English friends of mine (George Barlow being one), who were learned in cosmography,” were sent by him to bring him a relation of the countries, and to acquire expertness in the art of navigation.‡

But it was not merely by a liberal devotion of his wealth to the cause of scientific discovery that Thorn maintained his position amongst the great cosmographers of the age. His letters to Henry VIII., and to Dr. Ley, the English ambassador to Spain, bespeak him as their peer in ability, clearness of foresight, calmness of judgment, and scientific acquirements.§

To the doctor he sends accounts of the conflicting claims to discoveries in Spain and Portugal; discriminates between those which are real and those which are assumed; shows the extent and position of the former; draws with his own hand charts to be used by the mariners, and points out the kind and value of the commerce. Nor is this all; he pencils out his own ideas upon the chart, gives a north-west and westerly coast-line to America from Hudson's Bay, as the probable shape of that end of the continent, and presents both latitude and longitude, with directions how to find

\* Peter Martyr, Dec. VII., cap. vi.

† *Ibid*, Herrera, Dec. IV., lib. iii., cap. i.

‡ Hakluyt, 215.

§ Hakluyt, pp. 212—220.

them. He suggests routes which shall verify his theory—that the new-found land (America), then thought to be insular, is really continental, and contends that had it not been for the cowardice of the mariners, the expedition in which his father was a partner many years before might have gone by the N.W. to California and Peru. This theory has been verified by McClure, McClintock, and Collinson, in this nineteenth century.

Neither can Robert Thorn, good Catholic as he undoubtedly is, allow the right which the Pope claimed to dispose of at his will all the nations upon the earth. In the dispute between Spain and Portugal his Holiness had drawn a longitudinal line, and so divided the heathen world between the two nations. "Christ said," says Thorn, "'Quis me constituit iudicem inter vos,' but the Pope did not refuse, but making himself as Lord and Judge over all, not only granted that all lands that should be discovered from the Orient to the Occident should be the King's of Portugal, but also that upon great censures no other Prince should discover but he."\*

Many months before this, Thorn had written direct to Henry VIII. upon the same subject, and boldly and earnestly does he press the policy of an exploring expedition from England upon the King.† Spain has discovered the West Indies, Portugal the East, it is your duty to explore the north, because the situation of your realm is nearest and aptest of all others; because the almost continued daylight of the northern seas renders navigation less dangerous there than it is in the regions where ordinary dark nights prevail; because your Grace's subjects have begun the work; and besides by it your Grace shall win perpetual glory, and your subjects infinite profit without having to travel half as far as the Spaniards; for if our men do go by the back of the new-found land discovered by Cabot, they shall reach under the equinoctial the richest lands and islands of the world. Further, people would think that he, the King, lacked the noble courage and spirit of other princes if he were content to live quiet in his own dominions, &c., &c." The King was stirred and so determined on the attempt, and in May, 1527, the *Mary of Guildford* and the *Samson* set sail from the Thames. The *Samson* with all on board was lost in a terrific storm

\* Hakluyt, 217.

† Hakluyt, 212.

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on the coast of Labrador. The *Mary*, commanded by Rut, escaped and coasted the land to the southward, losing her pilot, the celebrated Verrazani, who, having gone on shore, was killed by the natives, and roasted and eaten in the sight of those who remained on board the ship.\* Though the expedition failed in its object, Thorn, who had now returned to England, did not suffer any loss of favour from the King—for in the year following he obtained from Henry letters of licence to purchase of the brethren and sisters their Hospital of St. Bartholomew.

This religious foundation was originally a lazaret-house for lepers. Chatterton correctly describes it as being subject to annoyance from the overflowing of the river Frome, on whose bank it stood. On the left side of its entrance porch still stands the mutilated statue of the Virgin and Child; but the statue of the mailed warrior, which he mentions as guarding the opposite side, has disappeared.† Leland, who visited Bristol about 1533, tells us “the Bartilmews” was in ruins.

Having licence from the King, George Croft the Master, and Sir Thomas West and Lord La Warr, the patrons gladly sold the whole estate to Robert Thorn, jun., Nicholas Thorn and John Goodryche, who, as executors of the elder Thorn, now began to carry out the testator's wishes.‡

The property, situated in the town of Bristol, and in the parishes of Clifton, Stapleton, Sodbury, Horfield, and Wickwar, consisted, besides the Hospital, of five messuages, 80 acres of meadow, 200 acres of pasture, and 10 of woodland, besides 40s. rent in King's Marsh.

Robert Thorn the elder's desire had been that a free grammar school might be erected in Bristol, which should continue therein for ever, and his executors now sought to convey to the mayor, burgesses, and commonalty of the borough the above estate, out of which they were to pay forty pounds clear annually to the support of the school.

Meanwhile, ere matters were settled, Robert Thorn, jun., died, leaving a princely fortune, equal to a quarter of a million in the present day.

Death seized on the son, as he had done the father, while in London, and he was buried in the church of St. Christopher, where

\* Purchas, vol. iii., p. 809; Ramusi, tom. iii., fol. 417.

† Barrett's “History of Bristol,” p. 428.

‡ N. Thorn's Deed Poll.

Stow tells us "there was a monument of pure touch," containing a Latin epitaph rendered as follows :\*—

"Here reposes Robert Thorn an honourable merchant  
Who by business gained for himself an honest fortune  
The city of Bristol had given him life as a boy  
London had buried him in his tomb before his time

He did honour to his country by his pursuit of learning, and exalted it by his virtues. Of his own accord he erected a public school at his own expense. Whosoever thou art O Reader that approachest this place ask peace (I pray) for his ashes, and humbly move the Deity to answer thy prayer."

Fuller, in his *Worthies*, quaintly says, "I see it matters not what the *name* be, so the *nature* be good. Thorns came in by man's curse, and our Saviour says, 'Do men gather grapes of thorns?' But this our Thorn (God send us many copies of them) was a blessing to our nation. Wine and oil may be freely said to flow from him; being bred a merchant tailor, he gave more than £4,445 to pious uses, a sum more than sufficient to endow a college. I have observed some at the church door cast in sixpence with such ostentation, that it rebounded from the bottom, and rang against both sides of the basin (so that the same silver was the alms and the giver's trumpet), whilst others have dropped down five shillings without noise. Our Thorn was of the second sort, doing his charity effectually, but with all possible privacy. Nor was this good Christian abroad, worse (in the apostolic phrase) than an infidel at home in not providing for his family, who gave his poor kindred, besides debts forgiven unto them, £5,142. Grudge not, reader, to peruse his epitaph, which, though not so good as he deserved, is better than most in that age."†

From his Will preserved in the great Will-Book in the Council-house, Bristol, we gather that among the charitable donations were the following: £300, and more that my Lord Delawar oweth—toward the making up of St. Bartholomew's School, Bristol; £300 to buy corn and wood when it is cheap, the same to be sold at the cost price to the poor when provision and firewood are dear; £500 to lend free of interest to young men beginning business as clothiers in Bristol; £50 to the relief of poor prisoners in London, and a like sum for the same purpose in Bristol; £50 towards the marriages of poor maidens in Bristol; £100 to be given in bread to the four

\* Stow, p. 193.

† Fuller's "*Worthies of Bristol*," p. 36.

prisons in London, and a like sum to be for the prisons in Bristol ; "the bread to be prudently given, any quarter of a year, to any house, until the money be expended ;" £100 to be expended in making in the streets of Bristol a place of merchandise, at the discretion of his executors, on condition that it be made within three years of his decease ; £200 for the reparation of the highways in and around Bristol ; £500 to be distributed in good deeds of mercy, to the relief of the commons of Bristol, above his bequests aforesaid ; also £200 "towards the redemption of the fee farm and *prisay* of the said town of Bristol, so that it be redeemed within these three years ;" and £500 to be distributed among the 25 wards of London, £20 in each ward to poor householders. To Thomas Moffatt, the master of the Free Grammar School £25 ; and to his son Robert Moffatt, £10. He forgives the various debts of his relatives and friends, the sums specified vary from £500 down to £4 15s. ; "all these foresaid debts I forgive and bequeath to any of them, and would not that it be asked." To each of the five almshouses in Bristol he bequeaths £100.

In the bequests to relatives is one of £1,000 "to my son Vincent Thorn, being in Spain, which I will that Carolo Catanio, that hath the keeping of him at this present in Spain, shall receive out of the goods of mine that the said Carolo Catanio and his brother hath to the use and benefit of my said child till he be of lawful age ; and if the said Vincent my son die before he come to lawful age, the said £3,000 to return to my heirs. Item I also bequeath to Anayaria, mother of the said Vincent, £50, with condition that she renounce all that pretence of inheritance of the bequest of her said son." It would appear that the above £3,000 had been left in trust to maintain the boy and his mother when Thorn left Spain. He mentions two chests of Geant velvet, in the which are 33 pieces black, appertaining to George Catanio, more two helles of pearles worked with a spectacles in the which is 200 pearles that are also the said George's.\*

The above are the principal bequests ; besides which he makes his brother Nicholas his residuary legatee, willing further, however, that there shall be "in the powers of my executors, one thousand pounds, to be distributed and ordered as they shall see best for my soul. The will was subscribed and sealed on the 23rd of May,

\* Great Will Book, Bristol Archives.



1532, and was proved in London on the 10th of October in the same year.\*

Robert Thorn, jun., never sought municipal or parliamentary honours; his portrait by Holbein, 1530, gives his age correctly as thirty-eight and represents a jolly, bluff-looking, open countenance which bears a most striking likeness to that of King Henry VIII. His arms are given in the dexter corner; in the sinister is a Latin distich to this effect:—

“I am called a Thorn; the glory be given to God who giveth the good things that the Thornes dispense to the poor.”†

It was a happy thing for Bristol that the elder Thorn's wishes were carried into effect by his large-hearted and educated son.

The age was growing barren of writers in the Latin tongue; the study of Greek introduced into England and Oxford in the elder Thorn's day by Grocyne, a Bristol man, was even now powerfully assailed in both universities by the Trojans.‡ Thorn's object was to resuscitate classical literature by cultivating a taste for, and educating the children of his fellow citizens up to an appreciative enjoyment of its beauties. Hence his foundation of what we now term a first grade classical school, in which should be given, “for learning and knowledge of the Latin tongue, and other good learning, to teach grammar and understanding of the tongues, and other good literatures, to all children *and others* that would repair to the said school, &c., freely without anything to be taken, other than fourpence only for the first admission of every scholar.”§

With a mind well cultivated and enlarged by intimate converse with the highest intellects of the age, Thorn's classical tastes gave an impress to the Free Grammar School, which amidst varied changes it has ever borne, but never more honourably or beneficially to Bristol than at the present time.

Henry VIII. will ever need and but seldom obtain a champion; it is only just to say that he has been falsely accused of robbing the Hospital of Bartholomew, to give it to the Thorns. The King never benefited by the transfer. The sale of the property was gladly made by the owners eight years before the monasteries were dissolved; it was paid for by the elder Thorn's bequest, made sixteen

\* Great Will Book.

† Trustees' House, Queen Square.

‡ Hallam, “Middle Ages,” iii., 595.

§ Manchec's Charities, p. 31.



years before that date. Robert Thorn, jun., also died three years before that period, leaving bequests to the schoolmaster, and to his son, so that the school was at work from 1530 if not before. Let us add that the Thorns were firm adherents of the Romish faith; Robert, jun., kept a priest, and left legacies to the four orders of Friars established in Bristol, so that the accusation that they sought to pave a golden way into heaven with property which they had stolen from their own church is a slander on their memory.

It has been assumed by Manchee and others, that the £1,000 left at the discretion of the younger Thorn's executors, to be used by them for the good of his soul, was appropriated to the Grammar School. But whatever Thorn, jun., did for the school during his life time (and it was probably considerable), there is no proof of the institution benefiting by his death beyond the sum of £300 before mentioned.

A window of the parish church of Walthamstow had (perhaps still has) this inscription:—"Christen people, praye for the soule of Robert Thorn, citizen of London, wyth whose goodys thys syde of thys churche was newe edyfied and fynished in the yeaere of our Lord 1535." Inasmuch as this took place three years after Thorn's death, the probability is that the work was done \* for the good of his soul by his executors, Withypoul, Lucar, and Hubberthorne, who might have been Essex, but certainly were not Bristol men.

Nicholas, who succeeded his brother, was a merchant and large shipowner in Bristol. Under date 1526 is an invoice of armour and other merchandise sent by him to T. Tison, an English settler in the West Indies; this is the first record we have of traffic with a region which in after years, and to this day, contributes largely to the wealth of Bristol.

In 1534 Henry visited his royal demesne of Thornbury, part of the confiscated possessions of the princely Buckingham. Ten fat oxen for the King, and a silver cup with cover, containing one hundred marks, for Queen Anne Boleyn, were Bristol's compliment to royalty. Henry was so gratified that he and some members of his court came over *incog.*, and was entertained by Nicholas Thorn, to whom, when showing him the town, the King said, "This is now the

\* Pryce's "History of Bristol," p. 582.

town, but I will make it the city of Bristol."\* Nicholas served as sheriff in 1529; in 1537 he represented the borough in Parliament; and in 1545 he became mayor, three years after it had by letters patent been made a city.

During his mayoralty, Thorn, with others, sent eight large ships to the help of the King in his war with France; the largest of these was the barque *Thorn*, of 600 tons; when Henry delightedly exclaimed, "I wish I had many such Thorns, Gournays, and Pratts in my land."†

In 1545 the plague being very deadly in the city, Master Thorn, the mayor, held his Admiralty Court at Clevedon; when the pestilence subsided, the five gates of the city were made free for strangers with their goods, and the Quay for all merchandise but salt fish. That year also a printing press was set up in Bristol, and a mint was erected in the castle, wherein the plate confiscated in the monasteries was coined into money.‡

Nicholas Thorn is accused, on the authority of a letter dated 1539, of being one of the persecutors of Wishart, who had in that year to do penance, wearing a fagot in St. Nicholas and Christ Church, Bristol. Thorn is by the writer termed a niggard and a knave, and his wife a hypocrite; he is, moreover, warned that unless he discharge Wishart to sureties, the poyntmakers will rise and crop his ears.§

But Nicholas Thorn was no niggard; he left a large family well provided for; a bequest to an illegitimate child of £66 13s. 4d.; £400 to lend out to young clothiers; £336 13s. 4d. to the library at the grammar school; £63 13s. 4d. to maids on their marriage; £100 for repairing the bridges; and £25 for repairing the banks of the river and the public granary. He died on the 19th of August, 1546, and his ashes lie under the pavement of Small Street, Bristol, adjoining the church of St. Werburgh—the end of which was cut off to widen the street. On a monumental cross, removed to its present situation in the church, is this inscription:—

"In this tomb, gentle reader, lies Nicholas Thorn, formerly a famous and upright merchant, whose words were governed by truth, and whose deeds were ruled by justice and virtue. Born in

\* Sayer, vol. ii., 214.

† *Ibid.*, 227.

‡ Evans, 140.

§ Seyer, vol. ii. 223.

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Bristol, there also he died, being more worthy of the gift of everlasting life, for he ruled the city as chief magistrate, and enriched it with a noble school at his own and his brother's expense, and the whole community of Bristol acknowledged him as a munificent father, by whose bounty they were blessed.

"The old and the young, boys and maidens, and the inhabitants at large, weep and lament that he should so soon have been taken from them; but the Almighty hath seen fit to remove him from these scenes of misery, blest though he was in the affection of his second wife and ten children.

"This tomb contains only his earthly remains; his soul has entered the region of the skies.

"The same tomb contains the ashes of his first beloved wife, and also of their firstborn son."

The portrait of Nicholas, also by Holbein, is extant; he is a thin, careworn, melancholy-looking man, and under his monogram in the corner is the quaint sentence, "*Ex spinis uvas collegimus*" (we gather grapes of thorns).\*

Amidst the confusion caused by the "wild misrule of Tudor's burly son," and the confiscations of religious property on every hand, it is not to be wondered at that on the death of Nicholas (the last surviving executor of the elder Robert Thorn) the conveyance of the property was still incomplete; "there was no further assurance or establishment of the premises, which descended in that state to his sons, being his heirs, John Harris being the master of the school at a salary of forty marks."

Robert, eldest son of Nicholas Thorn, succeeded to the estate, but ere any settlement could be effected, he, too, died without issue, and the next son, Nicholas Thorn, jun., became the possessor of the property.†

For the next fifteen years the property was in abeyance, and it would evidently have been lost to the city but for William Carr, mayor in 1561, by whom Nicholas, jun., was compelled to come to a settlement, which, as a compromise, was perhaps the best thing that could be done. The city retained the school-house, the capital house of the Bartholomews, all edifices within the outer gate, in-

\* The portraits of Robert and Nicholas Thorn, which are preserved in the Council House, Bristol, are copies by a Dutch painter, and cost £2 4s. in 1624. The originals are in the Trustees' House, Queen Square.

† Manchee, p. 30.

cluding two small aisles or chapels, but gave up the land, subject to a ground rent of thirty pounds, for the support of the school, and a covenant to keep the buildings in good repair.

Nicholas Thorn, jun., became Chamberlain of the city of Bristol in 1584, and died in 1603.\*

Pryce, in his "History of Bristol," quotes the elder Nicholas as being Chamberlain; but he had been dead thirty-eight years, and it was his son who was chosen to that office.

Alice Pykes, a widow, inherited the grammar school estate on the death of her father, Nicholas Thorn, jun., but deriving only an income of twenty pounds from it; and having no power to sell, she sought relief in the Court of Chancery.

At a conference between the Chancery commissioners and the Mayor and commonalty, the latter, "in consideration of the good deeds of Alice Pykes' ancestors, of her having seven daughters, and of the better luck which had befallen her sisters, whose land had been well sold, allowed her to sell the property, subject to a rental for the school of £40, and £1 6s. 8d. yearly for repairs.

Shortly after this Alderman Whitson bought the estate for the city for £650; and in 1621 it was at last placed properly in trust.

It will be observed that hitherto there is absolutely no restriction as to eligibility for admission to the school; it was "for all *children* and *others* that would repair to the said school for learning, &c.;" but in 1634 George White gave an exhibition at Oxford of the value of five pounds yearly for the maintenance and support in that university of such poor scholar or scholars who should be sent there from this school, the same being sons of freemen of Bristol.

Mrs. Snigge's two exhibitions of the value of six pounds each, given in 1636, were hampered with a similar restriction. Alderman Whitson gave, in 1627, two ten pound exhibitions "towards the maintenance of two poor men's sons at Oxford, or Cambridge, that had first had their education and bringing up in the free grammar school.\*

Two scholarships at St. John's, Oxford, were founded by Sir Thomas White, Knight and Alderman of London, in 1566, which were open to the grammar schools of Coventry, Reading, and Bristol, but which have always fallen to the last.

\* Bristol Archives.

† *Ibid.*

In 1783, by a piece of gross injustice and intrigue, an Act was obtained by which the authorities compelled the city school, Queen Elizabeth's Hospital, to exchange homes with the free grammar school, the master of which, and his wife (an alderman's daughter of the city), with their private boarders and day scholars, settled down in their usurped position on the Gaunts, at the foot of the Bullock Park, now Park Street. From this period the free scholars often varied from one to four,—the latter was their number in 1831, soon after which, under the Municipal Act, the school and its property was placed under the care of the charity trustees. Since then the success which has marked the onward progress of the school is its highest commendation, and by the Education Commissioners, it is now quoted as *a model school*.

## NOTES FROM THE RECORDS OF FAVERSHAM.

1560—1600.

BY J. M. COWPER,

FELLOW OF THE HISTORICAL SOCIETY.

The history of a small country town in the reign of Queen Elizabeth ought to present features of interest, not only to the student of our country's history, but also to the general reader. A good deal may be learnt from the poetical and prose writers of the time ; but we all know that writings produced in the heat of political argument, or for representation on the stage, are almost sure to partake of a somewhat artificial form. I need not say one word as to the peculiar interest which attaches to this reign over other reigns. Perhaps, to speak truly, no reign possesses in itself an interest superior to another. For one man the Tudor period possesses no attractions whatever, for a second the reign of Henry may have charms sufficient to render him oblivious even of the times when Henry's children sat in succession on his throne.

I have chosen the time when "Elizabeth was king" almost from necessity—necessity in this instance falling in with my own tastes. When you honoured me by asking me to read another paper before you, I almost involuntarily turned my thoughts to the records and fragments of records belonging to the corporation of Faversham. The particulars which were collected for "Tudor Prices in Kent," were obtained from the Wardmote books of the town with comparatively little trouble ; but these which follow, chiefly from the chamberlain's accounts, have cost some pains. Unfortunately, the book in which these accounts were written lost its covers many years ago ; neglect, time, and damp have done the rest. What was once a noble folio, bound in leather and clasped with brass, is little better than a confused mass of damp-stained paper, ready to crumble into dust. The sheets have become detached and disarranged, and not one perfect page remains. From these odds and ends, crumbling under

my slightest touch, I have endeavoured to rescue some trifles, which will, I trust, be deemed not unworthy of preservation. And this, let me add, shows, if nothing else does, the need of such a society as this. Could we awaken an historical interest in towns and cities possessing records, however meagre, much might be done to save them from the destruction which too surely awaits them.

Lying at some distance off what is now the great high road from London to Dover, Faversham had every chance of being forgotten, or rather, of remaining in obscurity. True, the arm of the Swale which runs into the town gave it an advantage over its more inland neighbours, and the unaccountable taste displayed by Stephen's queen in choosing the very borders of the marshes on which to build her abbey, gave it another claim to attention. Add to these its connection with Dover as a limb of the Cinque Ports, and you have enough to account for its appearance now and then in history; while the charters granted by successive kings conferred on it privileges which were of an importance we can little estimate.

Notwithstanding the suppression and demolition of its abbey, against the monks of which the most avaricious of Henry's instruments ventured not to utter a syllable, the town seems to have been in its most palmy days from 1560 to 1600. All the pomp and circumstance of "local self-government" were in full bloom. Its civic officers consisted of—

#### THE MAYOR.

11 Jurates (the Aldermen of our own days).

24 Commoners.

4 Churchwardens—apparently chosen by the Council.

2 Chamberlains.

2 Auditors.

2 Receivers of the stock of corn for the poor.

2 Receivers of the stock of money for the poor.

2 Receivers of the lands of the Free Grammar School.

2 Receivers of the lands and tenements late Henry Hatche's.

2 Overseers of the sluice, quays, channels, wharves, and watermen.

6 Overseers of the poor.

6 Presenters, called Indicters in 1580.

2 Searchers for flesh.

2 Searchers for leather.

1 Surveyor of Highways.\*

2 To assist Mr. Mayor to set the price of beer and victuals.

Certainly a well-governed town, and one in which we might expect to find a goodly number of inhabitants. Yet the most liberal calculation will only give from 1,200 to 1,500. I think these numbers will be accepted when I state that in May, 1572, a rate was levied "upon the *whole of the inhabitants* of the Town and Liberty for threescore pounds of lawful money." The records contain the details of this "cesse," arranged thus:—

	Number of Household-ers.	Amount.		
		£	s.	d.
The Major and Jurats . . . . .	11	10	18	0
The Commoners . . . . .	23	14	18	0
Court Street . . . . .	54	15	4	0
Preston Street . . . . .	31	5	5	2
West Street, South [side] . . . . .	18	3	9	8
Tanner Street . . . . .	16	3	9	6
West Street, North [side] . . . . .	21	7	2	2
	—	—	—	—
	174	£60	6	6

If to this number of inhabitants we add 26 for possible omissions and for "out-dwellers," who in 1569 numbered ten, we shall only have 200 houses, and I do not think it at all probable that the average number of persons residing in each house was more than seven, if it were so high. If we call it seven, the total number of inhabitants was 1,400.†

The rates which this little community paid were of a most formidable character. That of threescore pounds, which I have just mentioned, was raised for the purpose of defending an action at law; but there were others which, whether extraordinary or ordinary, are sufficiently curious to occupy a little attention. Living in troublous times, and under an agreement to assist the Sovereign against her

\* He is named in 1560.

† (1) It will be seen that the Mayor, Jurats, and Commoners were assessed first, and then the inhabitants in streets.

(2) In 1753, a particular examination was made of the number of the inhabitants of Faversham, and the return to the Mayor and Corporation was as under:—

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enemies, the Town suffered severely when called upon to furnish a ship "against the Spaniards on the Narrow Seas." On the sixteenth of April, 1588, by the authority of a Wardmote, a cess was made, to produce £229 2s. 6d. On the twenty-first of June in the same year a second cess was made, this time for £116 os. 9d. The larger amount was raised apparently without much difficulty, the "desperates" amounting to no more than £113s. 4d. But the smaller sum was never raised. It was deemed advisable to remit one-half of the amount, and to call only for £58 os. 4½d. In three months, then, the sum of £287 was raised to build, rig, and man the *Hazard*, 40 tons, of Faversham. To get at the effort it must have been to raise this amount, we have to consider the number of inhabitants, or rather the number of householders, and it will be seen that the amount paid by each householder (supposing they all contributed) must have averaged nearly thirty shillings. Multiply this by ten, and fifteen pounds will represent the amount. This was one of the fruits of war. An account, almost complete, may be here given, as it seems to have some connection with the good ship *Hazard*. The date is 1589-90.

"Monye laide oute for Ancyente, Drume, powder, and matthe:—

	£	s.	d.
Item for four hundred of powder . . . . .	18	0	0
" for four barrels to put in the powder . . . . .	0	3	8
" paid to Thomas Gill for two hundred of powder . . . . .	10	0	0
" for two barrels to put in the powder . . . . .	0	2	2
" for one hundred of powder . . . . .	5	0	0
" for half a hundred of powder . . . . .	2	10	0
" for one hundred of match . . . . .	1	0	0
" for two hundred and 24 pound of lead . . . . .	0	19	0

25 Sep. 1753.	Males.	Females.
In Preston Street and East Street . . . . .	250	298
Court Street, Abbey Street, the Quays, Conduit Row, and Middle Row . . . . .	480	458
West Street, Tanner Street, and the Lanes . . . . .	307	352
	1,037	1,108
Total number of inhabitants . . . . .		2,145
Total number of houses . . . . .		459
The number of inhabitants now, according to the Census of 1871, is nearly 8,000.		

	£	s.	d.
Item for twelve ells of taffety to make the ancient . . . . .	4	16	0
„ for the staff of the ancient and two tassels . . . . .	0	9	6
„ more for a carre and wharfage . . . . .	0	0	10
„ for freight and charges . . . . .	0	16	0
„ paid for a drum . . . . .	1	18	4
„ paid for making the ancient and for silk to sew it . . . . .	0	16	0
„ for fustian to use about the ancient and making } the case . . . . . }	0	3	7
„ paid for the drum heads and two sticks . . . . .	0	6	4
„ paid for mending of the town drum . . . . .	0	9	0
„ paid for 9 pounds of powder to Mr. Pelham . . . . .	0	8	3
„ paid to the porters for carrying the powder, lead } & match . . . . . }	0	1	0
„ paid for cutting out lead and casting [shot] . . . . .	0	5	8
„ paid to Thomas Gill by the hands [of—] . . . . . }	[5	0	0]
„ for one hundred weight of powder* . . . . . }			

[£53 5 4]

But rates were levied for other purposes than law and war. The *poor rates* added an additional burden to the backs of men. In 1595-6 it was found necessary to raise £67 16s. 10d. for the relief of the poor: of this, £8 5s. 3d. could not be obtained. In the next year the amount levied was £62 18s. 1½d., and in the next a similar amount. What this was "in the pound" I do not know, but each householder's share averaged about seven shillings. What was done with this I shall have to inquire presently. There were other means of raising money which call for attention. The presenters or indicters usually did their duty well. They presented persons as common tipplers, and they were fined. "Noyous" and "noisome" gutters were presented by the dozen, and the owners were compelled to pay. The Baker baked "evil bread," and the brewer brewed "evil beer;" and brewer and baker were presented, and had to pay. The miller who stopped a watercourse, and the gentleman who stopped a public way; the women who harboured vagabonds, and the men whose bridges near the creek were insufficiently kept, all met the same fate. A noisome dunghill, a privy in an improper

\* This is the last item, but the price is worn away. The figures supplied are placed in brackets.

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place, "the common privy on the Quays" (which was likely to fall), and "Hog-lane," for not being paved, and "being noisome to the Queen's people," were presented, and received the attention they demanded. The innkeeper was presented for breaking the assize of beer, the toll-collector for demanding excessive toll, and the timber dealer for laying timber in the way; but, worst of all, on one occasion the "presenters" themselves were presented for not presenting certain tipplers and bakers whom they ought to have presented, and the parson was presented for not reading all the prayers!

The authorities in our little town had other duties besides devising ways and means of raising money. They kept the highways and public buildings in order; they administered the charities of the town; they paid the Master of the Grammar School his £20 a year; they made frequent journeys, one or more of them, to London, to Dover, to Canterbury, and elsewhere on the town's business; they entertained the illustrious strangers who visited the place, and they ate and drank a good deal, feeling no doubt the importance of sustaining the character of their countrymen as gluttons and drunkards. But they did more than all these—they displayed a care and a regard for the public health and for public decency which deserve our highest praise. In 1564 they ordered that "None shall cast or lay within the liberties any dead horse, hog, dog, or cat, or other noisome carrion, unless he cause such horse or hog to be buried seven feet deep, and every dog or cat four feet deep." Again, in 1571, we find it was—

"Ordered that certain stinking dykes at the Quay shall be filled up.

"Ordered that rubbish laid in the street on the back side of the Middle Row be carried away.

"Ordered that, as the common streets be very foul, noyous, and stinking, for lack of continually cleaning and scouring, there shall be a common carrier to scour, cleanse, and carry away all such dust, dirt, week soil, and sullage of the said streets and houses to such place as shall be appointed by the Mayor. Such carrier to cleanse the streets twice a week—every Wednesday and Saturday afternoon.

"Ordered that no soil, sullage, dust, dirt, or entrails shall be thrown, laid, or cast into the streets, but shall be kept in the houses until the common carrier shall go about, and they shall be brought out in baskets to him."

The visits of the queen and certain nobles pressed very heavily on the town. The honour of entertaining these was, no doubt, very great; but it is a question whether the expense did not outweigh the honour. To set a boy on the hill "to watch for my Lord Warden's coming," or "to shovel the streets" against the coming of the queen, may have been necessary; and if the outlay had ended with such items, the grievance would have been small. But it was not in the nature of things that the expenses should be so limited.

"In 1573 Queen Elizabeth visited Faversham, and the following payments were made towards the expenses of her entertainment:—  
 Drum and flute coats, 4s. 8d.; drum and flutes against the Queen's coming, 2s.; one dozen of staff torches, 2 dozen links, 16s.; apparel for the drum and flute, £1 os. 2d.; forty lbs. of black for painting the Court Hall against the Queen's coming, 5s. 8d.; Captain Willowbe, £1; supper to the Queen's Majesty, £27 2s.; yeoman of the flagons, 10s.; the black guard, 3s. 6d.; footmen, £2; trumpeters, £1 10s.; porters, £1; conchemen, 10s.; pursuivants, 10s.; marshal's men, 6s. 8d.; musicians, 10s.; garter principal King of Heralds, £1; Mr. Udall, surveyor of the ways, 10s.; the Queen's bearwards, 6s. 8d.; sword bearer, 3s. 4d.; clerk of market, £1; his men, 5s.; his horsemeat, dinner, and breakfast, 13s. 4d.; Captain Wyllobbe, after the Queen's departing the town, 10s.; green taffetee for Mr. Fynche's son, that made the oration before the Queen's Majesty, £1 4s.; drum and flute, after the Queen's departing, 10s.; to him that painted the Court Hall arms, 12th September, £1; joiner, for making frames for the arms, 6s.; to Wm. Bockery, 19th September, for 24 yards of buckram, 18s.; four dozen of Towres ribbon, 14s. 4d.; nine dozen crown lace, 6s.; 2½ ells of white homborowe, 2s. 1d.; 2 yards of white fustian, 1s. 11d.; two skeins white thread, 3 doz. crown lace, 2s. 2d."\*

A few years later the Queen again visited her loyal subjects at Faversham. Among the expenses the following remain:—

Item paid to Wm. Wright for making of a pair of breeches	£	s.	d.
for the child that made the oration before Her Majesty . . . . .			8
„ paid upon a bill for silk taffety, fustian, buttons, canvas, lockram, and lace for the doublet, hose,			

\* "F. F. G." in local paper.

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1590-91

June 2,

and gown for the child that made the same	£	s.	d.
oration . . . . .	1	2	0
Item paid upon a bill for "turffe" taffety* a yard and a			
half for the same child's gown . . . . .	0	18	0
" paid to George Cross for making of a doublet for the			
same child . . . . .	0	3	0
" paid for making of a gowne for the same child . . . . .	0	3	4
The account is incomplete at the beginning. The total			
is . . . . .	£11	10	0

The amounts paid to players—and Shakespeare may have been among them—occur frequently. Those I have noted are—

	£	s.	d.
1572. Lord Abergavenny's Players . . . . .	0	5	0
1586. Paid to the Queen's Players (August 22) at Mr.			
Mayor's commandment . . . . .	1	0	0
Paid to Her Majesty's Players . . . . .	1	0	0
Paid to the Earl of Hertford's Players . . . . .	0	10	0
Paid to the Lord Admiral's Players . . . . .	0	10	0
Paid to the Lord Straunge's Players . . . . .	1	0	0
Paid to the Lord Beauchamp's Players . . . . .	0	6	8
1588. Paid to the Queen's Players by the appointment of			
Mr. Nicholas Upton, Mr. Mayor's Deputy . . . . .	1	0	0
Paid to the Queen's Players by the appointment of			
Mr. Mayor . . . . .	1	0	0
1589. Paid to the Earl of Essex's Players . . . . .	0	10	0
Paid to Mr. Nicholas Finch for that he laid out to			
the Earl of Sussex's Players in my absence . . . . .	0	10	0
1589-90. Given to the Queen's Players . . . . .	0	12	2
Given to the Earl of Essex's Players . . . . .	0	7	8
Given to My Lord of Leicester's Players . . . . .	0	13	4
1590-91. Given to the Queen's Players . . . . .	1	0	0
Given to the Earl of Essex's Players . . . . .	0	10	0
Given to the Queen's Players and to the Earl of			
Essex's Players . . . . .	1	0	0
Given to the Lord Beauchamp's Players . . . . .	0	10	0
Given to the Earl of Worcester's Players . . . . .	0	6	8
June 2, 1591. Paid to the Queen's Players . . . . .	0	10	0

\* [*I.e.*, green taffety.]

	£	s.	d.
1595. Paid to Mr. Mayor to give to a company of Players	0	10	0
Paid to Mr. Mayor to give to two companies of Players . . . . .	1	0	0
1596. Paid to the Queen's Majesty's Players . . . . .	1	0	0
Paid to my Lord of Hunsdown's Players . . . . .	0	16	0
N D. Paid to the Queen's Players . . . . .	1	0	0
Given to Lord Bartlette's men xxs., the which must be repaid by Nicholas Turner . . . . .	1	0	0

I have been thus minute in reference to these items on account of the great interest which attaches to dramatic representations just at this time.

"My Lord of Leicester's Players" were at Faversham in 1590;—was Shakespeare connected with the Earl of Leicester at this time? The tragedy of "Arden of Faversham" first appeared in 1592, but it was not till 1770 that it was attributed to Shakespeare.\* I pronounce no opinion upon the subject of authorship. I only wish to say that the profound sensation caused by Arden's murder, the *possible* visit of Shakespeare to the scene of the murder, and the fact of the murdered man's name being identical with that of the poet's mother, seem to throw an air of probability over the claim which was put forward for the Shakespearian authorship of the play in question.

The kind of entertainment and who were admitted to view are questions on which our records throw no light.† Perhaps the Queen and her court and a few of the chief officials of the Corporation were the only ones who viewed the plays, the royal bears affording entertainment to the many. Not only did her Majesty take about her players, and levy a sort of tax for their support, but the master of the Queen's bears received five shillings in 1582, and "the Queenes Majestie her Bearewardes" received six shillings and eightpence in 1585. Bearbaiting and dancing bears were very popular long before and long after the entries here referred to. The awful accident which occurred in Paris Garden in London on a Sunday in 1583, of which

\* [By Edward Jacob, in what has been called "a ridiculous preface."]

† Players do not seem to have been always popular, as the following entry will show :—1596-7. "Certen persons" were guilty of a "misdemeanoure done in the same Towne vppon misusage of a wagon or coche of the Lo. Bartlett's players." The "certain persons" were fined "xvs. ixd."

the Puritans made so much, looking upon it as a direct judgment from God upon the people, had no influence in checking the desire to "enjoy" this exhilarating sport. Sports of some kind people would have then as well as now. The introduction of firearms was gradually having its effect on the manly exercise of shooting with the bow, which had been a popular and profitable amusement for so long. Here, in our little town, the butts were still maintained; and in the summer evenings the lads and young men would go into the Shooting Meadow (it retains its name to this day) near the church, and try their strength and skill with the weapon with which their fathers and forefathers had done such terrible execution when brought face to face with their foes.

It is a pity we have no graphic description of the Fairs of the time. Two were held here annually, St. Valentine's and Lammas, proclaimed with all possible solemnity, probably by the sound of the horn, now in existence, in the presence of "Mr. Mayor" and his fellows. The Fair was a time when "the foreigner" was admitted to the privilege of exhibiting his "new fangles" to the gaze of the rustics who no doubt crowded in to join the revelry. All sorts of games and all kinds of amusements would be there. Dice, dancing, and playing at bowls would be in high favour. The dancing bear, the performing monkey, and the tumblers would attract crowds. And at night the "watch" would be set. Candles and links would be bought; bread, cheese, and beer for those who were to keep the watch, would be laid in, and then in eating and drinking, making merry and being merry, they would "watch" through the pleasant nights of Lammas-tide, and feel the satisfaction of having done their duty, their townsmen honourably and cheerfully paying the "bill."

Of other amusements, such as fishing, fowling, hunting, and hawking, for the rich; shooting, bowling, casting the bar or the hammer, tennis, tossing the ball, and "running base like men of war," I need only remark that they were extensively practised over the whole country.

But perhaps not the least interesting, certainly the most touching part of these ancient records is that which contains "the short and simple annals of the poor." Of course the town had its criminals. The "cutpurse" was hanged, and Michael Tuck was hanged; but why the latter forfeited his life we are not told. Two brief entries tell the tale:—

	£	s.	d.
<i>Item.</i> Paid to goodman Spencer for being hangman to Michael Tuck . . . . .	0	4	0
<i>Item.</i> Paid to Henry Phillips for attending upon Michael Tuck all the day until he was executed . . . . .	0	2	0

Whatever the crime of poor Tuck, it sinks into insignificance before the punishment inflicted upon Johanne \* Corson four years later :

1586. "Chardges layed owte abowte the Executinge of Johanne, the wyeffe of John Corson of Feuersham, beeinge condemned for witchcrafte.

" <i>Item.</i> Paied to a poore man for Fettingh of the Hawkes Pearches to make a Barre for her, and for carryinge of theym home agayne . . . . .	vjd.
" <i>Item.</i> Payed to hym that executed her . . . . .	ijs. viijd."

Poor woman ! Her husband, a year before, had received a shilling "for laying of ratsbane in the Courthall," and now for three times the amount all the expenses of executing her "condemned for witchcraft" were discharged ! I am unable to account for "hawks' perches" being used for the "barre for her"—no doubt for the cross-bar of the gallows. Surely there was no *need* to borrow these where wood was so plentiful. Another criminal about this time had a "new bar," but for this woman, adjudged guilty of witchcraft, a poor man was sent some distance for the defiled perches of birds, as though such only were fit to bear the body of the witch who "was not suffered to live."

What I wish now to direct your special attention to is the system of relieving the poor which prevailed. I have stated above that the amount collected annually for three years for the relief of the poor was something over sixty pounds. When we have seen how the poor were supported, we shall only wonder that the amount was so small, even in this small town of about 200 householders. The system followed was to billet the poor on certain of the inhabitants, paying the latter either weekly, fortnightly, monthly, or quarterly for the board and lodging of the persons committed to their care. The overseers † clothed the poor out of the funds collected, and paid for

\* Joan ?

† Or the "receivers of the stock of money for the poor."



any extras that might have been incurred. It will be best to give some of the entries in full, beginning at the earliest date:—

	£	s.	d.
Feb. 24, 1582. Paid to William King for keeping of Ann Gibbs and a fatherless child for one month	.	0	4 0
March 24. Paid to Goodman King for keeping of Anne Gibbs one month ended on Palm Sunday being the date hereof	.	0	4 0
Paid to Thomas Gawles' widow for redeeming of Anne Gibbs's clothes which were laid to gage to her	.	0	6 2

Here it will be observed that the rate for a woman and infant at the breast was one shilling a week.

The entries for 1583 do not state the time for which the relief was given, but they are probably worth reproducing here, especially as the last item, large though it is, is only the precursor of several of the same kind.

	£	s.	d.
1583. Paid to Henry Phillips when he was sick, having a wife and many children, and very poor	.	0	3 6
Paid to John Kybbett the currier, a very poor man, when he lay sick in his death-bed	.	0	4 0
Paid to Chambers's widow in her necessity	.	0	3 0
Paid to Barwick's widow in her necessity at sundry times	.	0	6 0
Paid to Mother Friend for keeping of John Standley's child	.	2	3 6

Between 1583 and 1590 is a gap, and of the accounts of the latter year I have only recovered a few particulars of the "apparelling" of certain poor persons:—

	£	s.	d.
1590. (1) Thomas Wraxted.			
For making a pair of stockings	.	0	0 3
„ half a yard of cloth	.	0	1 2
„ making him a jerkin	.	0	0 8
„ canvas to line it	.	0	0 5
„ an ell of russet at 2/2 the yard	.	0	2 8½

	£	s.	d.
1590. For buttons . . . . .	0	0	2
„ making his hose . . . . .	0	0	8
„ canvas to line them . . . . .	0	0	6
„ a yard of russet . . . . .	0	2	2
„ a pair of russet stockings . . . . .	0	1	4
	<hr/>		
	£0	10	0½

## (2) Rebecca Lytherland.

For making her a petticoat . . . . .	0	0	8
„ 2 yds. of russet at 2½ the yd. . . . .	0	4	4
„ lining for the bodies . . . . .	0	0	3
	<hr/>		
	£0	5	3

## (3) Johanna Winnefrete.

For making her a waistcoat . . . . .	0	0	3
„ 3 quarters of russet and hooks and eyes . . . . .	0	1	8
„ making her petticoat and lining for the bodies . . . . .	0	1	0
„ 2 yds of russet . . . . .	0	4	4
	<hr/>		
	£0	7	3

## (4) Barbara Standlye.

For making her a petticoat . . . . .	0	0	10
„ 3 yds. of russet at 2/ . . . . .	0	6	0
„ lining for the bodies . . . . .	0	0	2
	<hr/>		
	£0	7	0

For 1590—1591 the accounts are fuller. They show that the ordinary amount paid was one shilling or thereabouts per week, sometimes it was as high as one shilling and twopence. It will be observed that the last four names are names of women, and that their allowance is only fourpence a week each.

	£	s.	d.
1590-91. Item paid to father Wilson for keeping of Bartholomew Rosmere four weeks . . . . .	0	4	0
„ paid to Widow Lancefield for keeping of Robert Lee 52 weeks . . . . .	2	12	0

	£	s.	d.
Item paid to mother Wyles for keeping of William Holland and John Deeve 52 weeks . . . . .	2	14	0
„ paid more to her for keeping of John Wygmer 2 weeks . . . . .	0	2	0
„ paid to Goodchild for keeping of Dennis Wyllyfrethe 52 weeks . . . . .	2	12	0
„ paid to Mylbowne's widow for keeping of John Willifrethe 27 weeks . . . . .	1	7	0
„ paid to Elizabeth Amster for keeping of her own child at 8d. the week 52 weeks . . . . .	1	14	8
„ paid to Widow White for keeping of John Willifrethe 25 weeks . . . . .	1	5	0
„ paid to Tucker's wife of Eastling for keeping of Wm. Mantonye for 15 weeks . . . . .	0	17	6
„ paid to Goodwife Cheesman for keeping of Mary Wamsley 25 wks. and 4 days . . . . .	1	5	6
„ paid more to her for keeping of Thomas Day for 7 weeks . . . . .	0	7	0
„ paid more to her for keeping of Mary Day for 5 weeks . . . . .	0	5	0
„ paid Ralph Twiste for keeping of John Daye 7 weeks 4 days . . . . .	0	7	6
„ paid more to him for Day's children . . . . .	1	10	0
„ paid to Mother Lambert for keeping of Wm. Pledger for 9 weeks at 1/2 the week . . . . .	0	10	6
„ paid to Mother Brown for 52 weeks at 4d. the week . . . . .	0	17	4
„ paid to Mother Wilkinson do. do. . . . .	0	17	4
„ paid to Mother Hocker do. do. . . . .	0	17	4
„ paid to Goodwife Green do. do. . . . .	0	17	4

Immediately following these items for maintenance are the following for clothing, &c., as well as an allowance to a woman who was brought to bed in Preston Street: another, similarly befriended, afterwards ran away, and, in modern phraseology, "left her child chargeable to the parish:"—

*Apparel for the poor.*

	£	s.	d.
Item paid for 3 yds. of black cotton for father Wilson	0	2	6
„ paid for making of his coat and a dozen buttons	0	1	6
	<hr/>		
	£0	4	0
	<hr/>		
„ bought for Bartholomew Rosmer 3/4 yd. of russet	0	1	5
„ more for him as much canvas for a doublet and one dozen of buttons	0	2	0
„ more for him 2 ells and a half of 3 quarter cloth	0	1	4
„ more for him 2 yds. of russet for a jerkin and a pair of breeches	0	3	8
„ more for him one pair of hose and a pair of shoes	0	2	0
„ more for him for making of his doublet, two pair of breeches, one jerkin, two shirts, and 2 doz. buttons	0	4	0
	<hr/>		
	£0	14	5
	<hr/>		

Item bought for Robert Lee with mother Lancefield 2 yds. of russet for a coat	0	3	6
„ paid for making of his coat and for a doz. of buttons	0	0	11
	<hr/>		
	£0	4	5
	<hr/>		

Item paid to a woman that was brought to bed in Preston Street	0	0	10
„ paid more to her	0	1	0
„ paid to her at going away	0	5	0
	<hr/>		
	£0	6	10
	<hr/>		

„ paid for a pair of shoes and for feting (fetting?) a pair of hose for John Day	0	1	0
„ paid for mending John Day's shirts	0	0	10
„ paid for a pair of shoes for Mary Day	0	0	8
„ paid for washing of Goodwife Day's linen	0	0	8

After these the sundries below occur, of which you will notice the allowance for two suits of apparel for a boy who was put apprentice, costing £1 14s. 2d., and the amount paid to clothe

Henry Fynner's wife "in linen and woollen." What would the guardians of the poor in our day say to spending £17\* on the clothes of a parish apprentice, or to the amount required † to apparel "a pauper" in linen and woollen? Perhaps our fathers erred as much on the side of charity as we in these days sometimes do in the opposite direction.

1591.	£	s.	d.
Item paid Mr. Cross for keeping of a maid child of days	1	0	0
" paid to Bennett when he lay sick, his arm being broken . . . . .	0	5	0
" paid for 2 suits of appl. for a boy which was put to Tomlins . . . . .	1	14	2
" paid to Henry Fynner's wife to apparel her in linen and woollen . . . . .	1	6	1
" paid to Goodman Hart for keeping of Girdler and Scott . . . . .	0	10	0
" given to Hart, the Tailor of Preston Street, by Mr. Mayor's appointment, two bushels and one tolvet of wheat, which cost . . . . .	0	8	4
" paid for a sheet to sock a poor man that died at Byneon's. . . . .	0	1	6
" paid for carrying of him to church . . . . .	0	1	0
" paid to a woman that watched with him . . . . .	0	1	0
" paid to Byneon . . . . .	0	4	0
" paid to Mr. Mosse for burying of him . . . . .	0	0	8
" paid for carrying of him to Byneon's . . . . .	0	0	4

To these I may add one more entry belonging to the same date:—

Paid to Thomas Askewe by Mr. Mayor's order when he went to London to have his leg cut off . . . . . xxs.

In the next year "Mother Brown" was maintained for fourpence a week:—

	£	s.	d.
1592. Item paid to mother Brown for one month . . . . .	0	1	4
" " " " " " " " . . . . .	0	1	4
" " " " " 6 weeks . . . . .	0	2	0

\* £1 14s. 2d. × 10 = £17 1s. 8d. † £1 6s. 1d. × 10 = £13 os. 10d.

‡ £1 9s. 7½d. per qr.

	£	s.	d.
Item paid to mother Brown for one month . . . . .	0	1	4
" " " " " " . . . . .	0	1	4
" " " " " " . . . . .	0	1	4
" " " " " " . . . . .	0	1	4
" " " " " " . . . . .	0	1	4
" " " " " " . . . . .	0	1	4
" " " " " " . . . . .	0	1	4
" " " " " " 29 April . . . . .	0	1	4
" " " " " " one week 5 May . . . . .	0	0	4
" given her at divers times in her sickness . . . . .	0	4	4
" pd. for watching . . . . .	0	2	0
" pd. for socking* and bearing her to church . . . . .	0	1	8
" pd. for tolling the passing-bell . . . . .	0	0	4

In the same year (1592) Goodwife Harod received eightpence a week for keeping Jane Brown, and widow Green received a like amount for keeping Henry Walker. Another poor man cost "the parish" one shilling a week during the year.

The accounts for 1593 are missing. Those for 1594, 1594-5 are not more favourable, as the subjoined fragments will show.

	£	s.	d.
1594. Item paid to her more for keeping of Annis Toppenden 23 weeks at 6d. the week . . . . .	0	11	6
Item laid out for a pair of shoes for Annis Toppenden . . . . .	0	1	0
" for a smocke for her . . . . .	0	0	10
" for mending of her shoes . . . . .	0	0	4
" for two Quayesses † for her . . . . .	0	0	8
" for a neckercher for her . . . . .	0	0	5
Item paid to ——— for keeping of Elizabeth North			
8 wks. at 10d. the w. . . . .	0	6	8
" for making a petticoat for her . . . . .	0	0	8
" for 2 yds. and a $\frac{1}{4}$ of russet for her petticoats			
at $\frac{2}{3}$ the yd. . . . .	0	4	7
" for lining for her bodies . . . . .	0	0	2

\* To sock = ? to sack, *i. e.*, to sew in a winding-sheet. Were coffins used for the poor at this time? The price now paid by one of the Metropolitan Unions to the undertaker for supplying a coffin, and conveying the corpse to the cemetery, is *four shillings*!

† What were quayesses?

	£	s.	d.
Item for making of a waistcoat with "clapses" †.	0	0	4
Item for $\frac{3}{4}$ of russet at $\frac{2}{3}$ the yd. for the same	0	1	8
„ pd. for a smock for her	0	0	4
„ pd. for two pair of shoes for her	0	1	8
1594. Item laid out for a hat for John Barton	0	0	10
Item paid the 3rd day of August for Noyes children for 4 neckerchers, 4 bands, 4 quayses, and 4 "apernes"	0	9	0
1594. Item paid Abraham Nash for a child	1	10	0
„ „ Richd. Hall for keeping of a child	1	13	4
„ „ Markes for keeping of Catherine Tingle	2	11	8
„ „ John South for keeping of a child	1	9	0
1594-5. Item. They [the chamberlains] demand to be allowed for money paid to Mother Wyles for keeping of John Dewe, Henry Walker, and Wm. Chandler, from the 24th of June, 1594, until the 23rd of June, 1595, being 52 weeks at 3/ the week, the sum of	7	16	0

As time went on matters seem to have got worse. From the accounts of 1595 I have only recovered the following, which is, I regret to say, incomplete, the commencement being lost. There is enough to show that the poor were well clothed, and to lead us to believe that the pauper was better apparelled than the labourer—a not uncommon circumstance in our own day.

	£	s.	d.
1595. Paid for a yard and di. of russet and di. a quarter for a pair of breeches for him	0	4	4
Paid for one yard and di. of cotton for to line his breeches	0	2	0
Paid for $3\frac{1}{4}$ ells of canvas for to make him shirts	0	4	4
Paid for making the shirts	0	0	8
Paid for $\frac{1}{4}$ of an ell of lockram for two bands for him	0	0	5

† *Clapses*, clasps; *wapses*, wasps; *hapses*, hasps; are all common in Kent to this day.

	£	s.	d.
Paid for 1½ ells of canvas for the outside of his doublet . . . . .	0	1	4
Paid for lining for his doublet and for ¾ of coarse canvas for straythe (? strong) lining . . . . .	0	2	4
Paid for 2 doz. of copper buttons and a quarter of canvas for pockets . . . . .	0	0	6
Paid for George Belke's shoes* . . . . .	0	1	10
Paid for cloth for his stockings and making them . . . . .	0	2	8
Paid for making his doublet . . . . .	0	2	0
Paid for making his jerkin . . . . .	0	1	2
Paid for making his breeches . . . . .	0	1	0
Paid for making Geo. Belke's† hose and jerkin . . . . .	0	2	0
Paid for a pair of shoes for him . . . . .	0	2	4
Paid for "soleinge and hobnoylinge" of his shoes . . . . .	0	1	2
Paid for the russet for his clothes . . . . .	0	14	4

In 1595-6, seventeen persons received temporary relief, and twenty-eight permanent relief. The particulars of the latter are:—

Mother Lytherland	received	8d. a week.
" Lambert	"	4d. "
" Wyles for 3 children	"	12s. od. a month.‡
" Joyner for a "Town's child"	"	1s. od. a week.
Widow Green	"	4d. "
R. Bennet	"	1s. od. "
T. Hammond for a "Town's child"	"	1s. od. "
— Haythorn for keeping Barton	"	1s. od. "
R. Huglin	"	12s. 6d. a quarter.
Mother Lancefield	received	4d. a week.
T. Wattle for a child	"	8s. 4d. a quarter.
Lytherland's widow [amount gone].		
Father Smith	received	4d. a week.
Henry Noye for 5 children [no amount].§		
Three others [no amount].		
Kyngsland	received	1s. od. a week.

\* There is no break in the account. The preceding articles may or may not have been for Geo. Belke.

† This and the next three entries are from another portion of the accounts for the same year.

‡ Four weeks.

§ The clothing for these five children cost £1 2s. 10d.

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Harris	„	.	.	.	1s. od.	„
Ed. Nicholson	„	.	.	.	2os. od.	a quarter.
Mother Wynton	„	.	.	.	1s. od.	a week.
Mother Hocker	„	.	.	.	4d.	„

From these figures it appears that each person chargeable to the parish cost on an average for maintenance only nearly two pounds a year. Not an extravagant sum perhaps, when we bear in mind the price of provisions during this time.\* But the outlay for clothing seems large according to our modern notions. There can be little doubt, I think, that the poor soon found the advantage to themselves of the Poor Law system. For widows and orphans, and for men past work, it must have been an unmixed blessing, of which, before many years, the idle were not slow to avail themselves.

I have thus gone through what seemed to me the most interesting parts of these records. Many things remain in obscurity upon which I would fain have endeavoured to throw some little light, but I have been unable. If in what I have done I have acted as the "hewer of wood and the drawer of water" to you who can use these materials, my labour will not have been in vain.

*Note.*—My best thanks are due to the Town Clerk of Faversham, F. F. Giraud, Esq., for his kindness in assisting me in my researches. Without his aid my labours would have been greatly increased.—J. M. C.

\* See my Paper on *Tudor Prices* in these Transactions.

AN OFFICIAL INACCURACY RESPECTING THE DEATH  
AND BURIAL OF THE PRINCESS MARY, DAUGHTER  
OF KING JAMES I.

BY COLONEL JOSEPH LEMUEL CHESTER,

FELLOW OF THE HISTORICAL SOCIETY.

If any present or future historian consults the official Burial Register of Westminster Abbey for the date of the interment of the Princess Mary, third daughter and sixth child of King James I. and the Princess Anne of Denmark, he will find it to be the 16th of *December, 1607*. If he pursues his search, and resorts to the monument erected to her memory in Henry VII.'s Chapel, he will find it distinctly recorded on the marble that she died on that day. If he then examines the contemporaneous histories of that period, and especially the minute details and social gossip contained in certain trustworthy correspondence, which has been preserved and become a part of history, he will inevitably, and with perfect justice, arise from their perusal with the conviction that the royal parents were, as parents, devoid of the ordinary instincts of humanity, and as sovereigns lost to all sense of common decency; and that the Court by which they were upheld, and the nation by which their conduct was tolerated, must have been in a state of the most gross and outrageous immorality.

It is the object of this brief paper to relieve the father and mother, the King and the Queen, the Court and the nation, from these possible imputations, and to rectify, once and for ever, a manifest error that crept into the official register, and was perpetuated on the almost equally official marble.

The historian might, it is true, by further investigations in other directions, satisfy himself of the incorrectness of the date given; but, as no doubt would be likely to arise in his mind, he would be amply justified in accepting, as the basis of any severe comments he might

choose to make, the official record and the monumental inscription which he found preserved in the most venerable of all the British Minsters, and the especial burial-place of British royalty for centuries. Hence the grave importance that the matter should be set right, and to that end that all the cumulative evidence attainable should be presented.

This evidence divides itself into two classes:—1st, what may be called moral evidence; and 2nd, direct and positive testimony.

It will be found, by consulting the histories of the period, and especially the correspondence already mentioned, that during the Christmas holidays of 1607 the Court presented a scene of unusual gaiety. Masques and other festivities, plays and gaming, were the order of the day, and were indulged in to an extraordinary excess. To illustrate this it will be only necessary to quote one or two passages from the letters of John Chamberlain to Sir Dudley Carleton. One is dated the 5th of January, 1607-8, in which he says:—"The Masque goes forward for Twelfth-day, though I doubt the new room will be scant ready. *All the holidays there were plays*, but with so little concourse of strangers that they say they wanted company. *The King was very earnest to have one on Christmas night*, though, as I take it, he and the Prince [Henry] received [the communion] that day, but the lords told him it was not the fashion," &c.\*

In another letter, dated three days later, Chamberlain says:—"On Twelfth-Eve there was great golden play at Court. No gamester admitted that brought not £300 at least. Montgomery played the King's money, and won him £150, which he had for his labour. The Lord Monteagle *lost the Queen £400.*"†

Now if the Abbey register and the monument be correct, we are forced to believe that the King and *father* was not only so regardless of Court etiquette, but so reckless of common decency as to *very earnestly* desire a play in the palace when his daughter had been dead or buried at the most only nine days, or, more probably, was then lying an unburied corpse under the same roof; and that the Queen and *mother* was so devoid not only of regal but of the commonest maternal instincts that, eleven days later, she could participate in the excitements of the gaming table. We are also asked to

\* "The Court and Times of James the First," by the author of "Memoirs of Sophia Dorothea," &c., 1848, I. 69.

† Ibid, p. 71.

believe that the Court was so debased as to uphold the royal pair in these violations of both Court etiquette and common humanity, and that the nation at large was also so demoralized as to submit to these infractions of political, social, and religious duty and custom without complaint or rebuke,—for neither anywhere appears upon record. In short, we are asked to believe something so preposterous and absurd as to be, under all the circumstances, morally speaking, simply impossible. No educated, or to go farther, no civilized father and mother could have found it in their hearts to be guilty of such irreverence over the remains of their child but just dead; no English king or queen would have dared thus to defy the rules and conventions of Court and society; and the English nation at no period of its existence would have tolerated such conduct in their sovereigns without complaint or protest.

It was while pursuing my protracted labours in editing and annotating the Registers of Westminster Abbey for publication that this extraordinary state of things during the Christmas holidays of 1607 attracted my attention, and, discrediting at once the imputations thus cast upon the sovereigns, the Court, and the nation by both the register and the monument, I sought for the proofs that both, strange as it may seem, are undoubtedly wrong. Those proofs I now proceed to give.

No historical fact is better established than the date of the *birth* of the Princess Mary. All the accounts of the reign of King James I., whether in print or in manuscript, agree that she was born at Greenwich, on the 8th or 9th of April, 1605. Howes, in his continuation of "Stow's Chronicle,"\* says, under that year,—“At Greenwich, the 8 of Aprill, was borne the Lady Mary, daughter to our Soueraigne Lord the King, betweene 11 and 12 a clocke at night. But a MS. among the Smith Collections in the Bodleian Library,† purporting to be a record of the births of the children of King James I., written by one of the females of the royal household, contains the following entry :—“*Mariam natam 9º Aprilis, sub horam quartam [tertiam erased] matutinam, Grenowici, 1605.*” The very exactness of this date, and particularly the careful erasure of the word “*tertiam*” and the substitution of “*quartam*,” lead to the impression that the writer was more likely to be correct than Howes. At all events, there is a difference of only about four hours between

\* Edition of 1611, p. 444.

† No. 103, p. 39.

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them, and subsequent writers have followed either, as chance dictated. There is never any discrepancy as to the year or month, and only this very slight one as to the day.

Howes gives also other important data. Under the same year, 1605, he says:—"At Greenwich, the fourth of May, the King made Earles and Barons, &c. The next day after [*i.e.*, the *fifth of May*], being Sondag, the Lady Mary was christned."\* And again: "The *nineteenth of May* the Queene was churched."† Also, under the following year, 1606, he says:—"The Lady Sophia, daughter to our Soueraign Lord the King, was borne at Greenwich vpon Sondag the 22 of June, at three o'clocke in the morning, and died the next day."‡ The Bodleian MS. already quoted confirms this date, as does also all other contemporaneous evidence.

Fortunately, however, the accuracy of these dates does not depend solely on the statement of Howes, nor on any other printed or manuscript testimony hitherto known to the public. While preparing this paper, and indeed just as I had written to this very point, my friend Dr. Rimbault kindly called my attention to the original Cheque-book of the Royal Chapels, which he discovered among the muniments of the chapel in St. James's Palace, and which he is now preparing for publication by the Camden Society. It is a volume of the greatest historical interest and value, and we must rejoice, not only at its discovery, but also that it will be presented to the public under the editorship of one who thoroughly appreciates its importance, and will do ample justice to its priceless contents.

In this volume, in the appropriate chronological position, occurs this heading:—"The order and manner of the service performed in and by the Chappell at the Christninge of Marye the daughter of the Mightie Kinge James, &c., the *fifte of Maye*, Anno 1605." In the margin the date is repeated, and the ceremony is stated to have taken place in the Chapel at Greenwich. Then follows an extremely interesting detailed account of the proceedings, which need not be repeated here, as the volume itself will shortly be accessible to all readers. A little later in the volume occurs the following:—"The Order of the Queens Highnes Churchinge which was in the Chappell uppon Whitsondaye 1605." The date in the margin is "1605 May 19." Also in its appropriate place occurs the record of the birth of

\* Edit. 1611, p. 445.

† Ibid, p. 446.

‡ Ibid, p. 463.

the Princess Sophia, on the 22nd of June, 1606, and of her baptism, death, and burial in Westminster Abbey during the same week.

Thus the dates previously given are corroborated by testimony the most positive and unimpeachable.

These dates must be borne in mind: the birth late on the 8th or early on the 9th of *April*, and the christening on the 5th and the churching on the 19th of *May*, 1605.

We will now return to the Princess Mary's monument in the Abbey. The inscription thereon is as follows:—"Maria filia Jacobi Regis Magnæ Britanniae Franciæ et Hiberniæ et Annæ Reginæ primæva Infantia in coelum recepta mihi gaudium inveni Parentibus desiderium reliqui die XVI Decembris CIO IO CVII congratulantes condolete *Vixit Annos II Menses V Dies VIII.*"

Now it will be seen at once that if this child died on the 16th of *December*, 1607, at the age of two years, five months, and eight days, she must have been born on or about the 8th day of *July*, 1605—exactly three months after the date assigned by Howes and the other witnesses, two months after her baptism, seven weeks after the churching of her mother, and only eleven and a half months before the birth of her sister, the Princess Sophia. The monumental inscription, therefore, fortunately corrects its own error, or gives us the means to do so. The actual date of birth being established as the 8th or 9th of *April*, 1605; if we add two years, five months, and eight days, we arrive at the 16th or 17th of *September*, 1607, as the date of death; and the *sixteenth of September* is the date assigned by a no less authority than Camden in his *Annals* (or rather, in his personal diary attached to the *Annals*); and this is an authority which it is probable no one will be inclined to question. Howes is even more minute in his record, which, it must be remembered, was contemporaneous. Under the year 1607 he says:—"Wednesday the 16 of September, died the Lady Mary, daughter to our Soueraigne Lord the King, and was solemnly interred at Westminster the twenty-three of the same, in a vault of the same Chapell and in the same manner as was her sister the Lady Sophia."\*

Such evidence as this it is impossible to reject, and there is an abundance of corroborative testimony. On the 18th of *September*, the Earl of Salisbury wrote to the Earl of Shrewsbury that the Lady

\* Ibid, p. 479.

Mary should be buried on the following Wednesday. Nichols's "Progresses of King James I." contains a number of references to the event, with quotations from the correspondence of the period, establishing beyond the possibility of question the fact that the Princess died on the 16th of *September*, and not of December, in the year 1607.

The conventional period of mourning was therefore over before Christmas, the Court had resumed its former habits, and the pleasure-loving King and Queen their favourite pursuits.

It now only remains to explain how this error occurred both in the register and on the monument. The existing early Burial Register of Westminster Abbey is not the original one, and the same may probably be said of the monument. We have been taught to believe that the desecration of church monuments and records was a common occurrence in the time of the Commonwealth, and it is quite likely that the inscription on the original monument of the Princess Mary was defaced at that period by some playful Cromwellian, or the monument itself destroyed. As to the Register, however, it is almost certain that its mutilation took place after the Restoration; the object, doubtless, being to destroy the entries in it relating to the Protector, his family and friends, and the prominent men and women of the Commonwealth. Certain it is that, although many of them were buried in the Abbey, no record of their interment is to be found. The probability is that numerous leaves and parts of leaves were torn out, without regard to the other records they contained, and the precious volume left in a fragmentary condition. The new Chaunter, who was installed on the 11th of February, 1660-1, by name Philip Tynchare (or Tinker), found the Register in this state, gathered together the mutilated fragments, and transcribed as well as he could what was left into a fair new volume. Generally the entries previous to the Restoration are found to be correct, but the transcriber made some sad blunders, the rectification of which has given me no end of trouble and labour. That relating to the Princess Mary's burial is undoubtedly one of them. Probably he simply misread *December* for *September*. If, as suggested, the original monument or inscription was destroyed, the Abbey sculptor, or whoever prepared the new inscription, would naturally resort to the Register for the date, and thus the error was repeated on the marble. Or, it is possible that the monument was first restored with the erroneous

date, and that the transcriber of the Register, finding the old entry illegible, consulted the new inscription, and accepted the date of death therein given as an approximate date of burial.

The error will of course be properly noted in the volume I am preparing, but it seemed important that some more elaborate explanation should be placed upon record, in order that the memory of the royal family, the Court, and the nation, of Christmas, 1607, should be protected against the possible misrepresentations of future historians.

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WAS THE OLD ENGLISH ARISTOCRACY DESTROYED  
BY THE WARS OF THE ROSES?

BY T. L. KINGTON OLIPHANT, ESQ., F.S.A.,

FELLOW OF THE HISTORICAL SOCIETY.

THERE is no greater commonplace in English history than the assertion, that the old Aristocracy was destroyed by the Wars of the Roses. The object of this paper is to inquire, whether the vulgar opinion be well founded or not.

The old English peerage of the Feudal age may be divided into two classes: the upper class will comprise Dukes, Marquises, and Earls; the lower class, all noblemen beneath the degree of Earl. There are about twenty-seven great historic houses that belong to the former division, if we adopt a fair test for the term "Historic House," and exclude from it all those families which have not held an Earldom in the male line continuously for at least one hundred years, or thereabouts, before the Reformation. The greater part of these twenty-seven houses derived their chief importance from the Norman Conquest, though very few of them obtained their Earldoms from the Conqueror himself. The wars of King Stephen's days, seventy years later, gave birth to many titles renowned afterwards in English history. The Thirteenth Century was the period in which the Historic Houses mainly gathered their laurels. They wrested the Great Charter from King John, they bent John's feeble son to their will, and (boldest act of all) they stood unflinching before John's mighty grandson. French and German houses may boast of doughty feats in wars abroad; English houses have achieved far more glorious results at home. But Time was doing his work upon them all. The Earls of Albemarle had died out so early as the Twelfth Century, and four great historic Earldoms dropped in the Thirteenth. The Century of Edward the Third swept away at least seven Norman Houses of the very first class; among which were those of Clare, Bigod, and Bohun,

—names intertwined with the brightest achievements of our early history. In the first and more peaceful part of Henry the Sixth's reign, before any Englishman had dreamt of civil war, the process of decay was just as rapid. The last Mortimer, Earl of March, the rightful heir to the crown, died a prisoner in 1424; the last Montacute, Earl of Salisbury, was struck down by a cannon ball at the siege of Orleans, not long before the appearance of the immortal Maid; the last Beauchamp, Duke of Warwick, passed away in 1445. Twelve great historic English houses, and but twelve, were left when the bloody strife of the Red and White Rose began ten years later.

I scarcely think that I need touch upon the state of the lower English Baronage during the four hundred years that followed the Norman Conquest. As in the case of the great Earldoms, various names appear in the rolls of the House of Lords, flourish for a short season, and then fall like the forest leaves. In the beginning of 1455 there were not more than thirty-five houses that sat in the House of Lords holding titles below that of Earl; some of these houses, however, enjoyed more titles than one, and sent more than one scion to Westminster. The English Peerage in 1455 was far more exclusive than that of Scotland in the same age, if we allow for the difference in the population of the two countries.

I now come to estimate the number of noble English names that were for ever blotted out between 1455, the beginning of the Wars of the Roses, and 1487, when the last pitched battle was fought. I must first remark, that within this period several great houses passed away by sheer natural causes, just as they would have done in a time of profound peace. Foremost in this category comes the name of Mowbray, Duke of Norfolk, Earl Marshal of the realm, who died in 1475. To this we may add the less known names of Bromflete, Harington, Scales, and Sudeley. The Wars of the Roses had nothing to do with the extinction of these five houses in the male line. We now pass to those cut off in the actual strife. In 1461, Lord Bonville, the first Peer of his name, was put to death by Queen Margaret after the second Battle of St. Alban's. In 1470 fell Tiptoft, the scholar-like Earl of Worcester, whose forefathers had been well known in history for two hundred years. We read in Warkworth's "Chronicle," written at the time, that when Edward IV. had fled from England, "the Erle of Worcestre was juged be suche lawe as he dyde to other menne; and whenne he was dede, his body and his hede was buried

to gedyr at the Blacke Frerys in Londone, with alle the honoure and worschyppe that his frendes coude do." These two Peers were Yorkists; but the tide soon turned. King Edward came back from Flanders in 1471, and won Barnet field; as we find in Warkworth, "the Duke Excetre faught manly ther that day, and was gretely despoled and wounded, and leste nakede for dede in the felde, and so lay ther from VII. of klokke, tille IIII. after none; whiche was take up and brought to a house by a manne of his owne; and a leche brought to hym, and so afterward brought in to sancuarii at Westminster." This is the unhappy nobleman whom Philip de Comines saw following the Duke of Burgundy's train barefoot and bare-legged, begging his bread from door to door. He was found dead two years later in the sea between Calais and Dover; how he died was never known. Such was the end of Holland, Duke of Exeter, husband to Edward the Fourth's sister. Another English house of the first rank fell in the person of the last Beaufort, Duke of Somerset. He, with many others, had taken shelter after the battle of Tewkesbury in the Abbey of the place; and the priest, leaving his mass, had won their pardon from Edward. But, as Warkworth says, they, "uppon trust of the Kynges pardone gevene in the same chirche the saturday, abode ther stille, where thei myght have gone and savyd ther lyves; whiche one monday aftere were beheded, noytwhitstondynge the Kynges pardone." Thus died, in 1471, the last of the Beauforts, a line immortalized by Shakspeare; it was a bastard offshoot of the Plantagenets.

One other powerful house fell in 1487, when the Yorkists made their last struggle. Lord Lovell came of a family that had been great in England for 200 years; he had been one of the Ministers of Richard III., and had therefore lost his vast estates in the first year of Henry VII. This nobleman disappeared after the battle of Stoke; a body was found in a vault at Minster Lovell more than 200 years later, and it was conjectured that this was the corpse of the unhappy Yorkist, the last of his name, who must have been starved to death in the shelter he had sought. These five names—Bonville, Tiptoft, Beaufort, Holland, and Lovell—are all the names of peers ennobled before the Wars of the Roses that were swept out of the land by the actual strife, leaving no lawful issue. I do not mean to say that scores of noblemen did not fall in the thirty-two years of bloodshed. Thus, for instance, three Staffords of the Ducal House of Bucking-

ham, father, son, and grandson, fell within the twenty-eight years that followed 1455. All I contend for is, that the English Peerage had in 1487 utterly lost but very few of its old names enrolled within it before 1455. Around the throne of the first Tudor King stood the old Audleys, Beauchamps,\* Blounts, Bouchiers, Cliffords, Dacres, Herberts, and Scropes; not to mention those that have remained in the Peerage to our own day, such as the Berkeleys, Clintons, Greys, Lumleys, and Wests. I might mention as many more Lords, existing in 1487, whose houses had been ennobled before the Wars of the Roses had begun.

But it is now time to turn from the lesser Barons to the great historic names, nine of which survived 1487. The war was over; but the jealous Tudors who now filled the throne kept a watchful eye upon the houses that had mingled their blood with that of Plantagenet. The last male of this kingly stem was put to death by Henry VII. in 1499, making the seventh very great English house that had perished in the Fifteenth Century. Stafford, Duke of Buckingham, was doomed to death by Henry VIII., as all readers of Shakspeare know; his house fell from its old pinnacle, and his last heir male died in the days of Charles the First. The Delapoles, Dukes of Suffolk, were hunted out of the land they had enriched and adorned. Few English houses have a more interesting history than they have. In no country but England could a race of merchants have risen in the feudal times to the highest rank under the Crown, have become the mark of more than one Parliamentary impeachment, and have wedded ladies of the blood royal. The last man of their name died a hero's death on the field of Pavia. A little later the name of Courtenay was blotted out—at least, so far as Tudor jealousy could effect its end; the Earls of Devonshire seemed to have passed away; and the heirs male, through whom the title was to be continued in after years, were lurking in safe obscurity. The Nevilles, whose great hero had been the main cause of the Wars of the Roses, fell a hundred years after his death, beneath the iron hand of the renowned Tudor Queen; their Earldom of Westmoreland was taken away from them, and was given to another, although its rightful owner is living amongst us to this day. The last Fitzalan, Earl of Arundel, was borne to the grave much about the same time. He had headed the remnants of the old English feudal aristocracy in

\* These were Beauchamps who had never held the Earldom of Warwick.

its resistance to the new upstarts, such as the Cavendishes and Cecils, who had been fattened upon the Abbey lands. Letters still kept at Simancas bear witness how much he loved Rome and hated Geneva, cities between which in his day the battle was hotly raging.

I have mentioned the English Abbey lands. No great portion of these found their way to the old Historic Houses, contrary to what happened in Scotland twenty years later ; the Tudor Kings found their best policy in creating a new Aristocracy. Seymours and Dudleys, Paulets and Pagets, left little church plunder for the old Houses that had been great before the Wars of the Roses. After the year 1569, when the Nevilles and Percies raised the last of all the feudal insurrections in England, the strength of the elder Aristocracy became less and less. A new power was rising in the State, to which King and Lords alike had to bow. In 1641 all the Percies, Veres, Talbots, Nevilles, and Courtenays put together would have been easily outweighed by Hampden *Pater Patriæ*, or by that other renowned Parliament man known as King Pym. The head of the Percies did indeed take part in the strife of that day ; but his part was a poor one if we compare it with that played by his forefathers in the Wars of the Roses ; and the time for the extinction of his glorious house in the male line soon came. The Veres, Earls of Oxford, lingered on until the days of Queen Anne. They fill a glowing page or two in Lord Macaulay's History. They alone have held an English Earldom for all but six hundred years : their first Earl bore arms in the evil days of King Stephen ; their twentieth and last Earl was one of the conquerors of the Boyne Water. In short, of the nine great old Historic Houses of England which outlived the Wars of the Roses, three alone are now flourishing in the male line—the Courtenays, Nevilles, and Talbots. I have mentioned already five houses of less mark that were in the Peerage before these wars, and are still surviving.

I hope I have now proved my point, that the common notion of the old English aristocracy having been destroyed by the Wars of the Roses is a mistake ; that the houses which had become extinct before those wars greatly exceed in number the houses that have failed since ; that many old stems came forth unscathed from the murderous strife, though some of their twigs may have been lopped by the axe or the sword while that strife was raging ; that the real bane of the old aristocracy was the jealousy of the Tudors, and the

rise of new ideas under the Tudors. Two causes have preserved the old Scottish houses from sharing the fate of their English brethren. The first was the prejudice in favour of heirs male, which would not allow the lands of a noble family to be split up among co-heiresses; the second cause was the practice of allotting small estates to younger sons, whereby the chance of always having an heir male at hand was much increased. Besides this, as I have already remarked, the Scotch Peerage of 1460 was much larger than the English Peerage of the same date, if we take into account the relative population of the two countries. Both Scotland and Ireland show a larger proportion of old Historic Houses than England boasts. I cannot better end this paper than by quoting Lord Chief Justice Crewe's words in the great Oxford case; "Time hath his revolutions; there must be a period and an end to all things temporal,—*finis rerum*,—an end of names and dignities, and whatever is terrene. For where is Bohun? where is Mowbray? where is Mortimer? nay, which is more and most of all, where is Plantagenet? They are entombed in the urns and sepulchres of mortality."

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## NOTES ON THE HISTORY OF THE SCOTTISH BRANCH OF THE NORMAN HOUSE OF ROGER.

BY THE REV. CHARLES ROGERS, LL.D., F.S.A. SCOT.,

HISTORIOGRAPHER TO THE HISTORICAL SOCIETY.

SEVERAL centuries before the introduction of surnames, and its adoption as a family designation, the name of Roger was common over Europe. It is still to be found, both as a christian and a family name, in most of the continental countries. In France it is spelt Roger; in German Roger and Rüdiger; in Norway Hrodgjer and Ruadgjer; in Spain Rogerio; and in Italy Rogero and Ruggiero. According to Miss Yonge the name signifies "spear of fame;"\* it had been originally granted in meed of renown—in reward of heroism. The name became pre-eminently Norman.†

Rolf, Rollo, or Rou, a Danish sea-king, founded the Norman dynasty at Rouen, to which place he gave name, and where he reigned sixteen years (A.D. 927 to 943). He was progenitor of William the Conqueror, and of that illustrious race who have since the Conquest borne the English sceptre. During the century following the reign of Rolf at Rouen we find Roger de Toesny, who claimed descent from Malahulc, uncle of Rolf, fighting valiantly against the infidels in Spain, and achieving great victories, not without cruelty and violence. Roger married the daughter of the widowed Countess of Barcelona, "a princess," remarks Mr. Freeman, "whose dominions were practically Spanish, though her formal allegiance was due to the Parisian king. This marriage," Mr. Freeman adds, "was doubtless designed as the beginning of a Norman

\* "History of Christian Names," by the author of "The Heir of Redclyffe." Lond.: 1863, vol. ii., p. 36.

† Out of the List compiled by M. Leopold Delisle of the Companions of William the Conqueror (*Herald and Genealogist*, vol. for 1863), no fewer than twenty-seven bear the Christian name of "Roger."

principality in Spain, but the scheme failed to take any lasting root.\* On his return from Spain, Roger de Toesny rebelled against William, the future Conqueror, and sent his son, Roger de Bello-mont or Beaumont against him. A battle ensued, in which Roger de Toesny and his two sons were slain.†

The latter portion of Mr. Freeman's narrative differs from other accounts of the Beaumont family. According to some Norman writers Roger à la Barbe gave name to the little town of Beaumont le Roger, beautifully situated on the Rille in Normandy. Above this town rises a limestone hill, richly wooded, at the base of which is a fountain named *La Fontaine Roger*. The latter is mentioned in the *dotalitium*, or deed of dower of Countess Judith, wife of Richard, second Duke of Normandy, who bestowed the domain on the Abbey of Bernay, from which it passed into the possession of Humphrey, Seigneur of Vieilles; which was the head place of the fief till 1040. Roger à la Barbe ‡ was the son of Humphrey; he built the castle on the summit of the rocky eminence, and his Christian name thereafter became the family designation of his House. Beaumont le Roger was besieged and captured by Henry I., afterwards by Richard Cœur de Lion; it was stormed and burned by Philip Augustus, and more than once was made an appanage of the Royal Family of France. Given to Charles the bad, King of Navarre, it was captured by Bertrand du Guesclin, and demolished. Pillaged by Henry V. in 1417, it was in 1651 ceded to the Duke of Bouillon in exchange for the principality of Sedan.§ Roger à la Barbe was one of the Conqueror's chief nobles, and his best counselor and friend. When William left Normandy to conquer England, he associated Roger with Matilda, his queen, in the government of his kingdom. Roger helped to plan the expedition, and furnished no fewer than sixty ships for transporting the Norman army. He married in 1045 the heiress of the Count of Mulan through whom he obtained high power in France as well as in his own kingdom.

\* Freeman's "Norman Conquest," vol. i., pp. 460-461.

† Freeman's "Norman Conquest," vol. ii. p., 197. See also sheet pedigree prefixed to the Lives of the Lindsays for some information regarding the De Toesnys.

‡ In his "Nobiliaire de Normandie," 1666, folio, M. Jacques Louis Chevilard has presented the armorial escutcheon of Roger du Mont Boumonville. The shield is *argent*, on a fesse *sable* three roses of the field; in base three lions rampant of second two and one; all within a *bordure gules*.

§ "Normandy, its History and Antiquities." Lond.



Robert de Bellomont was one of the sons of Roger à la Barbe; he is described as grandson of Turolf of Pont Andemare, by Wevia, sister of Gunnora, wife of Richard, first of that name, Duke of Normandy, great-grandfather to William I. He accompanied the Conqueror into England, and mainly contributed to the triumph at Hastings. Robert inherited the Earldom of Mellent in Normandy from his mother Adelina, daughter of Waleran, and sister of Hugh, who took the habit of a monk in the Abbey of Bec, both Earls of Mellent. Of the conduct of Robert de Bellomont at Hastings, William Pictaviensis writes:—"A certain Norman young soldier, son of Roger de Bellomont, nephew and heir to Hugh Earl of Mellent, by Adelina his sister, making the first onset in that fight, did what deserveth lasting fame, boldly charging and breaking in upon the enemy with that regiment which he commanded in the right wing of the army," for which gallant services he obtained sixty-four Lordships in Warwickshire, sixteen in Leicestershire, and one in Gloucestershire, in all ninety-one. He did not, however, attain the dignity of the English peerage before the reign of Henry I., when that monarch created him Earl of Leicester.\*

Besides Robert de Bellomont, founder of the noble House of Leicester, another member of the Beaumont family took part in the Norman Conquest of England. His name of Rougere, or Fitz Roger, is entered on the roll of Battel Abbey.† Of this person, or his son, we have obtained some particulars in the *Chartulaire de la Basse-Normandie*, and also in a collection of documents relating to Normandy, transcribed from the Norman archives, and deposited in the Public Record Office. To a Latin instrument dated 1076, setting forth the independence of the church of St. Leonard against the pretensions of the Bishop of Sieux Count Roger and Roger de Bellomont appended their names, along with William the Conqueror, Matilda, his queen, and other notable persons. The instrument is as follows:—

"Quia memoria hominum sicut homines cito pertransit quedam facta eorum que cum necesse est scribendo retineri unde nos huic ecclesie providentes quod volumus successores nostros rescire, Carte huic decrevimus inserere; Contigit itaque cuidam festivitati S<sup>i</sup> Leonardi Comitem Rogerium interesse et cum eo nonnullos utriusque ordinis non mediocris fame quos ipse invitaverat ad sui honorem et huic ecclesie exaltationem. Ex quibus Sagunsin pontifex Robertus

\* Dugdale's "Baronage," vol. i., p. 83. † Lower's "English Surnames."

ea die nostro et comite hortante Missam cantavit *cujus etiam misse offerturam, Sibi per cupiditatem retineret emptavit. Quod nos videntes et velut monstrum exhorrentes a quodam ejus clerico, cui eam reservandam commiserat, Vi et non sine contumelia offerturam illam recessimus. Iratus propter hoc Episcopus Ecclesiam et nos excommunicare se dixit. Quo facto prius clamorem quam fecit comes Rogerus de Sapiensi episcopo ad Johannem Rothomd Archiepiscopum die constituta ex inde placidaturi devenimus Rothomag. Ibi in palatio et in presentio Regis et Regine Anglorum Comes Rogerus conquestus est super sagiensi episcopo qui ecclesiam S<sup>a</sup> Leonardi sine causa excommunicare presumpsisset. At contra Episcopus nos inculpabat quod manum quam sanam et integram habuisset habendo offerturas per totum episcopatum suum. Nos ei accidissemus auferendo ab eo nostram offerturam. Ad hec Rex et Regina sertati sunt a Comite Rogero de statu ipsius ecclesie, comes vero et nos qui aderamus dilucide enarravimus quomodo Guillelmo de Bellissimo supradictam ecclesiam de peccatorum suorum veniam edificasset et quomodo eam ex precepto beate memorie pape Leonis Liberam et solutam fecisset et quod a die dedicationis ejusdem, Archiepiscopus sive episcopus nullam in ea consuetudinem habuisset nec eam ullomodo excommunicare potuisset. Aseruerunt etiam antiquissimi homines qui hoc viderant et audierant, parati probare secundum judicium Regis quod nos edisseramus. His auditis Rex et Regina jusserunt Johannem archiepiscopum et Rogerum de Bello-monte et plures alios Barones ut secundum quod audierunt facerent inde judicium. Et illi abito consilio judicaverunt ecclesiam qui tanta auctoritate et tot tanta cunque procerum confirmatione liberata esset et tam longo tempore in liberalitate perseverasset debere deinceps in perpetuum sit permanere. Episcopum injuriam fecisse, non solum Comiti Rogero verum etiam Regi de quo ipse ecclesiam tenebat. Dixit etiam Johannes archiepiscopus quasdam ecclesias in diocesi sua esse in quibus ipse nullam omnino consuetudinem haberet. Hoc pacto, sagiensis episcopus Robertus emendavit rutum faciendo regi et comiti Rogero injuriam quam eis fecerat predictam ecclesiam invadendo. Disfinitum est etiam ibi ut si archiepiscopus sive episcopus eam amplius inquietare presumeret apostolica et regia auctoritate a consortio fidelium usque ad satisfactionem alienus existeret. Hoc viderunt Guillelmus Rex, et Mathilda Regina, Johannis Rothomagensis archiepiscopus, Robertus sagiensis episcopus comes. Rogerius Robertus de Belism*

Rogerus de Bello-monte Curvisus, Guilielmus et Hascuinus canonici Arnellandus et multi alii."\*

*Translation.*

Because the memory of men, like the men themselves, quickly passes away, there are some things which ought to be committed to writing. We, therefore, taking provident care for the future interests of this church, have thought it right to record in this document an event which we are desirous that our successors should be made acquainted with. It happened then, on a certain festival of St. Leonard, that Count (Earl) Roger was present, with some eminent persons of both orders, whom he had invited out of respect to himself and to do honour to this church. At the joint request of ourselves and the Count, the Bishop of Sieux sang mass, and coveting the offerings, tried to appropriate them. Observing which, and horrified at it as something monstrous, we forcibly, and with reproaches, seized them from the person—one of his clergy—to whose keeping he had intrusted them. Enraged at this, he declared he would excommunicate both us and our church. He fulfilled his threat, and before Count Roger could complain of the bishop's proceedings to the Archbishop of Rouen, we, in order to smooth matters, betook ourselves on a set day to Rouen, and there, in the palace and in the presence of the King and Queen of England, Count Robert charged the Bishop of Sieux of having without just cause presumed to excommunicate the church of St. Leonard. The bishop retorted that we were to blame, as he had a clear and legal right to all the offerings collected in his diocese, and that we had done him a wrong by taking from him ours. On this the king and queen conferred with Count Roger on the state of his church, when he, together with those present, clearly narrated how that William de Bellasis had built the aforesaid church for the remission of his sins, and how that by an order of Pope Leo of blessed memory it had been constituted free and independent, and that from the day of its dedication neither archbishop nor bishop had any customary right in it, nor in any way over it, the power of excommunication. They asserted, moreover, that very old men who had seen and heard all this were ready to corroborate these

\* "Chartulaire de la Basse-Normandie," vol. i. p. 49, vol. i. p. 80. (Plais royaux vers l'année 1076. Archives d'Alençon.)

statements to the satisfaction of the king's judgment. Hearing this, the king and queen gave orders that John, the archbishop, Roger de Bellomont, and many other barons should give sentence according to the evidence. And they, counsel taken, judge that a church of such high authority, and with rights conferred by so many illustrious ancestors, had been free, and that having enjoyed its liberty for so long a time, it ought to enjoy it in perpetuity,—that the bishop had not only done an injury to Count Roger, but also to the king, of whom he held the church. John, the archbishop, further said that there were some churches in his own diocese in which he had no rights at all. Accordingly Robert, Bishop of Sieux, had to atone for the crime with which he was chargeable against the king and Count Roger in invading the privileges of the aforesaid church. It was also there decreed that if either archbishop or bishop should hereafter presume to disturb it, he should by apostolical and royal authority be separated from the communion of the faithful till such time as he had made satisfaction. This have approved William, King, and Matilda, Queen; John, Archbishop of Rouen; Robert, Bishop of Sieux; Count Roger; Robert de Bellasis; Roger de Bellomont; Curvisus, William, and Hascuin, canons; with Arnelland, and many others.

Roger, son of Thorold, or Torold, is celebrated in the following document, preserved in the archives of Normandy.\*

"Donatio pro Sancta Trinitate rothomagensi, annuente Willelmo rege Anglorum.

"Rogerius Tuoldi filius ultramonte cum Willelmo comite navigaturus tres jugeres terræ in Sothevilla pro remedio animæ suæ monachis Sanctæ Trinitatis rotomagensis in *allodium* condonavit, sed quia in eadem navigatione morte preventus hoc confirmare nonvaluit quidam ejus miles nomine Willelmus Trenchefoil ipsum beneficium ejus vice largitus est libentissime, id ipsum Willelmo rege anglorum annuente. + Signum Willelmi regis. + S Willelmi Trenchefoil. + S bernardi forestarii. Testes Ricardus osbernus Rogerus pont +."

#### Translation.

Donation to the (house of the) Holy Trinity of Rouen, by permission of William, King of England.

\* See "Transcripts of Charters and other Documents, from various Archives of Normandy," in the Public Record Office, London.

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Roger, son of Torold, about to travel with Count William to parts beyond the mountains, gave for the health of his soul three acres of land in Southvill to the monks of the Holy Trinity of Rouen, reserving no feudal rights, but dying on the passage, and being thereby prevented from confirming his grant, it was graciously confirmed in his stead by one William Trenchefoil, knight in his train, William, King of the English, assenting. ✠ The seal of King William, ✠ the seal of William Trenchefoil, ✠ the seal of Bernard the Forester.

Witnesses, Richard Osbern and Roger the bishop ✠.

Immediately after the Norman Conquest persons of the name of Roger (members of the House of Beaumont) began to spread rapidly over England. Roger, Archdeacon of Shrewsbury (Rogerus, Archid de Salopesber), is between the years 1162 and 1182 witness to a legal instrument.\* In a Pipe Roll of the sixth year of the reign of King John (1204-5), Robert de Kent, on behalf of Robert the son of Roger, renders an account of £240 18s. 4d. as dues on farming the king's rents in the county of Northumberland. In the same Roll, Robert, the son of Roger, is named as paying rent for the castle of Tynemouth.†

Among the ecclesiastics connected with the Priory of Tywardreth, Cornwall, founded soon after the Conquest, and which was a cell of the Benedictine abbey at Angers, were two priors named Roger, whose anniversaries were observed on the 12th and 31st October.‡ It may be remarked that these are the first persons of the name in a district in which members of the family are now so numerous that the late Dr. Phillpotts, Bishop of Exeter, used to indulge the jest that his diocese consisted of men, women, and Rogers's. From this early period persons bearing the name of Roger were extensively connected with the Church. Roger, styled *de Pont l'Evêque* in Normandy,§ was Archbishop of York, 1154—1181. An ambitious churchman, his career is intimately bound up with the civil and ecclesiastical history of the kingdom. A native of Bromley in Kent,|| he first appears under public notice in the family or court of Theobald, Arch-

\* "Collectanea Genealogica," vol. iv. p. 15.

† Pipe Roll, in Public Record Office.

‡ "Collectanea Genealogica," vol. iii.

§ "Fasti Eboracenses," by the Rev. W. H. Dixon, edited by the Rev. James Raine. London, 1863. 8vo., vol. i., p. 233.

|| See *postea*.

bishop of Canterbury. Here he had among his companions a young priest, who was subsequently to become his rival,—the celebrated Thomas à Becket.\* When Henry II. determined that his eldest son Henry should be crowned during his lifetime, he requested Archbishop Roger to perform the ceremony, owing to his quarrel with Becket, who, as Primate, was entitled to the honour. Becket hastened to anathematise Roger and two of the chief prelates who assisted him, an event which led to Becket's assassination by those who sought to vindicate the rights of the Northern province.† It is proper to add, that Roger of York proved that he was not accessory to the murder of his rival. He possessed no small share of military ardour. In 1174 he took a prominent part in the wars of the North; he welcomed the barons who proceeded against William the Lion, and to Henry II. sent intelligence of his capture.‡ For his military zeal, Henry, in 1177, bestowed on him the castles of Scarborough and Roxburgh.§ Bishop Roger of St. Andrews, 1188—1202, was second son of Robert, third Earl of Leicester, and cousin to King William of Scotland, who made him first his Chancellor, then Abbot of Melrose, and afterwards Bishop of St. Andrews. He founded the Castle of St. Andrews as a residence for himself and his successors.|| From 1199 till 1201, he resided chiefly in England, his name often occurring during these years as a witness to charters granted by King John to various public bodies.¶

We have thus found the Norman name of Roger travelling northward. Its *establishment* as a surname in northern parts next claims attention. Prior to his accession to the Scottish throne in 1124, David, Earl of Huntingdon, resided in England. There he married Matilda, heiress of Waltheof, Earl of Northumberland, procuring through this alliance estates in Northumberland, Cumberland, and Huntingdon. On his accession he introduced to important offices in his kingdom persons of English or Norman extraction, with whom he had associated during his sojourn in the south. Among these was Hugh de Morville, whom he constituted Constable of

\* "Fasti Eboracenses," vol. i., p. 233.

† Dean Stanley's "Historical Memorials of Westminster Abbey," pp. 52-3.

‡ "Chronique de Jordan Fantosme," ed. Surtees Society, pp. 78-9, 91, 93.

§ Hoveden, 323 b; Benedict Patrib., 203.

|| Wyntoun's "Chronicle," *passim*.

¶ Rotuli Chartarum in turri Londinensi.

Scotland. He was son of Roger de Morville and grandson of Simon de Morville, who possessed the barony of Burgh-on-the-Sands, in Cumberland.\* Richard, a younger brother of Simon de Morville, took part with the King of Scotland and Robert, Earl of Leicester in the hostilities carried on against Henry II. by the young king.†

In addition to the high office of Constable with power to lead the king's army, Hugh de Morville received extensive estates in Tweeddale, Lauderdale, and the Lothians, in the south-east, and in Clydesdale and Ayrshire in the south-west, of Scotland. He married Beatrix Beauchamp (de Campo Bello), daughter of a powerful family of Norman settlers in Scotland, and the reputed founders of the ducal House of Argyle. By this marriage was born a son, Richard de Morville, who became principal Minister of State to William the Lion.‡

Hugh de Morville resembled his royal patron, David I., in religious devotedness. He founded the Abbey of Kilwinning in Ayrshire, and the Abbey of Dryburgh in the county of Roxburgh. At the period of the latter foundation (1150) we are first introduced to the name of Roger on Scottish soil. In the Register of Dryburgh (Liber S. Marie de Dryburgh) occur numerous entries in reference to the acquisition of lands by Richard de Morville from Roger "Janitore de Rogesburgh" (Roxburgh). In the foundation charter granted by David I. we have these words :—

"Dedi dictis fratribus et eis confirmavi illam terram et omnia ad eam pertinentia quam Beatrix de Bello Campo de Rogero Janitore emit et iis in liberam et perpetuam elemosinam dedit. Et illud etiam toftum extra portam occidentalem de Rogesburghe quod Johannis Capellani fuit ita liberum et quietum iis concedo sicut carta Henrici Comitis filii mei iis donat et confirmat."

#### *Translation.*

"I have granted and confirmed to the aforesaid brothers that land and all its appurtenances which Beatrix de Beauchamp bought of

\* "The Morvilles represented a House which had assumed its surname from the village of Morville, on the bank of the Aire, in Picardy. The race gradually increased in position and opulence; a descendant of the House in the female line occupied for a time the Scottish throne. That descendant was John Baliol." (Anderson's "Scottish Nation," vol. iii., pp. 730-1.)

† Dugdale.

‡ Chalmers's "Caledonia," vol. i., pp. 503-4. Anderson's "Scottish Nation," vol. iii., p. 731.



Roger the Janitor, and gave to them as a free and perpetual benefaction. And also that parcel of land situate without the western gate of Roxburgh, which was the property of John the Chaplain, I yield up to them in the same free and quiet possession, as it is given and confirmed in the charter of my son Earl Henry."

According to Du Cange, the Janitor of a Religious House held the first grade in the ecclesiastical order; he was custodier of the keys, and had power to reject the entrance of all who were unworthy. Roger, "Janitor de Rogesburgh," was a landowner of considerable extent; and therefore, independently of his ecclesiastical position, a person of consequence. His name clearly implies his Norman or English descent, while his transactions with Beatrix de Beauchamp, mother of Richard de Morville, before the construction of Dryburgh Abbey, would imply that he was a person of considerable age at the period of the Abbey's foundation. He bore the same name as the father of Hugh de Morville; and the first Abbot of Dryburgh, who was nominated by Hugh, was a churchman named Roger. The coincidence is sufficiently singular; but it would be rash on account of it to assume that Roger, the Janitor, was a relative of the De Morvilles, or that the Janitor of Roxburgh Church was subsequently Abbot of Dryburgh Abbey.

Abbot Roger of Dryburgh took office on the 13th December, 1152.\* During his incumbency he received three bulls from Pope Alexander III., confirming grants to the Abbey, and there permitting service during a general interdict. He resigned his office as Abbot in 1177; and proceeded to England probably under the patronage of Archbishop Roger of York, who was, like himself, a favourite of Alexander III., the reigning Pope.

Members of the Roger family held offices in the Religious Houses of the Scottish and English Border from the twelfth century downward. On the 29th April, 1217, Roger, Master of the Lay Brothers of the Abbey of Warden in Northumberland, was elected Lord Abbot of Rieuall, or Rievaux, in Yorkshire; he afterwards demitted his office, and was succeeded by Leo, Abbot of Dundrennan, and Monk of Melrose.†

In 1236 "Dominus Rogerus Cellerarius" was translated from

\* Liber S. Marie de Dryburgh.

† Chronica de Mailros.



Melrose to the Abbey of Neubothel (Newbottle).<sup>\*</sup> Abbot Roger of Newbottle assisted at the conference which took place at Roxburgh between Henry III. of England and Alexander III. of Scotland, on the 20th September, 1255. He attended a chapter of his order held in England, and on his return towards Scotland, died at the Monastery of Vandy in 1256.<sup>†</sup> A second Abbot of Dryburgh was also a member of the Roger family. "Rogerus, Abbas de Dryburgh" is witness to a charter along with William de Lamber-ton, Bishop of St. Andrews, whose episcopate extended from 1298 to 1328.<sup>‡</sup>

Before proceeding further it is essential that we make some observations respecting the origin of surnames. According to Du Chesne, the lords of France began to assume the names of their demesnes so early as the year 989. Camden relates that surnames were commenced in England under Edward the Confessor. Be this as it may, it is certain that a great impulse to the use of surnames was given by the Norman adventurers, many of whom assumed as family designations the names of *Chateaux*, or Villages, on the other side of the Channel. At the Domesday Valuation surnames were not uncommon; they were frequent among persons of rank in England in the middle of the twelfth century.<sup>§</sup> In Scotland they were not common till half a century later. Ordinary persons took names from their calling or trades, or from the aspects of their localities; || but those who possessed Norman blood always preferred as surnames the designations of their ancestral homes, or their own Christian names.

Early in the fourteenth century flourished in or near the town of Roxburgh a landowner known as "Roger of Auldton." Surnames were now in universal use, and Roger had doubtless been for some time the family designation of the owner of the *auld toon*, or old town, of Roxburgh. The "old town" of Melrose in Roxburghshire still exists, likewise the al-ton, or old town, of Aberdeen. An ancestor of Roger of Auldton had doubtless built the original place or

<sup>\*</sup> Registrum S. Marie de Neubotle, 1140—1528. Edinb. 1849, 4<sup>to</sup>, p. 154.

<sup>†</sup> Chronica de Mailros.

<sup>‡</sup> Chalmers's "Caledonia," *passim*.

<sup>§</sup> An Essay on Family Nomenclature by Mark Antony Lower. Lond., 1849, 12mo., vol. I. p. 31.

|| Inquisitiones Nonarum, 1340 (13th Edward III.)

village of Roxburgh—hence the designation of his descendant. It is, indeed, not improbable that the original settler—probably Roger the Janitor—gave name to the entire province. The old name of Roxburgh was Marken.\* In charters of the reign of David I. it is designated “Rogysburgh”—which is precisely the pronunciation that would now be given by Scottish Borderers to the word Rogersburgh.† We offer the conjecture as a probable solution of an etymological difficulty.‡

In 1328, Robert de Colvil “Lord of Oxenham quitclaimed to Roger of Auldtoun, near Roxburgh, an annual revenue of five shillings in which he was bound to him for two oxgangs of land, which he held of him in the town and territory of Heton, granting also to the said Roger the liberty of converting the said two oxgangs to pious uses or perpetual alms.”§ During the same year Roger of Auldtoun obtained a “quitclaim” from John de Valays, whereby he was freed from an annual payment of “two pence yearly for two oxgangs of land” which Roger’s father, Gilbert, had undertaken to pay to Henry, father of John.”|| With lands at Auldtoun of Roxburgh Roger proceeded in 1329 to endow “a chantry of one priest, who should ever after perform Divine service in Saint James’s church, Roxburgh.”¶ For endowment he granted “all his lands, revenues

\* Holinshead’s “Scottish Chronicle,” Arbroath, 1805, vol. i, p. 1367.

† “Origines Parochiales,” vol. i., *passim*.

‡ There has been considerable discussion among antiquaries as to the origin of the name Roxburgh. Some maintain that it is a corruption of Rose-burgh, a place of primroses; others, that Roch, a saint, had his cell in the locality; others, that being the head-quarters of Border thieves, it was at first styled Rogues-burgh. In confirmation of our own theory, it may be remarked that the name of Roger was common among the old landowners of the south-eastern Border. In a Jury summoned by Alexander III. in 1262 for determining a dispute between the burgesses of Peebles and the laird of Croekston relative to the digging of peat, occur the names of Roger of Kedistoun, and Roger, the gardener. In the Ragman Rolls (1291—1296) are inserted in connection with the south-eastern district, the names of Roger le Mareschal, and Rogier de Mohaut (W. Chambers’s “History of Peeblesshire.”—Edin., 8vo., 1864, pp. 50, 64). A place near Lauder, which belonged to Dryburgh Abbey, was known as Roger’s Law (Liber S. Marie de Dryburgh, p. 325). There is a Roger’s Crag near Halmyre, in Peeblesshire, (Chambers’s “Peeblesshire,” p. 43).

§ Liber de Calchou; Register of Kelso, pp. 369, 370. *Origines Parochiales Scotie*, vol. i., *passim*.

|| *Origines Parochiales*, vol. i., pp. 452—460.

¶ Liber de Calchou, p. 368; Regist. Glasg., p. 244.

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and possessions in the town and territory of Auldtoun, together with the whole demesnes which he held in the said territory." This grant was confirmed by charters from King Robert the Bruce and the Bishop of Glasgow; and Margaret, wife of the donor, to indicate her approval, made an addition to the grant and stipulated that, "forty pounds of silver should be paid to the fabric of the cathedral church of Glasgow" if she or her heirs should revoke it. The entire annual endowments provided for the chantry by Roger of Auldtoun and his wife amounted to £20 Scots, or about £200 of present money.\*

Long as they had been settled in Scotland, the members of the House of Roger remembered whence they had sprung. In 1360 the church of Old Roxburgh was granted by Edward I. to Roger of Bromley.† From Bromley (county of Kent) came Archbishop Roger, of York, the close ally of Roger de Morville, whose son Hugh is said to have avenged his quarrel with Thomas à Becket. At Bromley the House of Roger was planted in the time of the Conqueror, and there members of the family continued to live prosperously for centuries. At least one family of the name is still resident in the locality.‡ In a sasine of the burgh of Berwick dated 1291-2, Roger is named as Keeper (Custos) under Edward I.§ In the counties of Roxburgh, Berwick, and Selkirk, persons of the name are occasionally to be found. But the main branch of the House migrated westward. The period and circumstances of that migration we shall now endeavour to determine.

In his "History of Ayrshire and its Families," Mr. James Paterson writes,|| "During the reign of Robert the Bruce, and before 1321, Eustacia de Colvil, relict of Sir Reginald le Chene, and daughter and heiress of Sir William Colvil of Ochiltree,¶ granted to the monks of Melrose the church and church-lands of Ochiltree; and the grant was confirmed by a charter of Robert de Colvil of Oxnam and Ochiltree. This Robert de Colvil of Oxnam is the same who, as 'Lord of Oxen-

\* "Origines Parochiales," vol. i., pp. 452-460.

† "Rotuli Scotiæ," vol. i., p. 852. "Origines Parochiales," vol. i., p. 453.

‡ To Colonel Joseph L. Chester, author of the "Life of John Rogers, the first Martyr of the English Reformation," we are indebted for copious extracts from the parish register of Bromley in connection with the Roger family from 1582 to 1666.

§ "Chronica de Mailros."

|| Paterson's "History of Ayrshire," vol. ii., p. 394.

¶ Liber de Melrose, p. 343.

ham,' quitclaimed in 1328 to Roger of Auldton an annual revenue of five shillings for lands in the town and territory of Heton." He held lands both in Roxburghshire and Ayrshire, having probably succeeded to the territory of the Morvilles in those counties. At the period when he granted lands at Ochiltree to Melrose Abbey, the head of that establishment was Abbot Roger,\* a member, no doubt, of the church-loving family of Auldton. Probably through his recommendation Robert de Colvil, as a good son of the Church, made the quit claim to Roger of Auldton of his feu-rent of the lands at Heton; and it is not unreasonable to conclude that the same generous churchman planted some of his kindred on the newly-acquired church lands at Ochiltree, where they were found long afterwards. It was a practice of churchmen to serve their near relations by providing them with farms on easy terms on their church lands. To the Abbey of Dryburgh, and Roger, its first abbot, David I. granted a manor at Carail (Crail),† Fifeshire, and there the patronymic of Roger has remained till recent times.‡

The church lands of Ochiltree were retained by the monks of Melrose till the period of the Reformation,§ and so long did the Roger family find headquarters in that Ayrshire parish. In the first volume of the Commisariat Register of Glasgow is recorded the will of Alexander Roger in Ochiltree, made in 1549 or 1550. From the inventory of his goods he appears to have been a substantial farmer. The inventory includes "one horse, three mares, four oxen, eight cows, two stirks (young bullocks), nineteen sheep, forty bolls of oats, five and a half bolls of barley, and household goods to the value of fifty pounds." In his will he bequeaths *fourpence* "to the building of St. Kentigern." Between 1153 and 1160 Malcolm IV. granted "to the church of St. Kentigern, Glasgow, and to Bishop Herbert and his successors, the

\* Lord Blachford of Wisdome, formerly Sir Frederick Rogers, Bart., a representative of the Roger family in England, is married to a daughter of Mr. Colville of Ochiltree, whose progenitor granted to the monks of Melrose his lands of Ochiltree, thereby affording a home and headquarters to a family, a member of which has, after five centuries, become allied in marriage to an ennobled descendant of the sept.

† Liber S. Marie de Dryburgh.

‡ Baptismal Registers of Crail, and of the adjacent parishes of Kingsbarns and Anstruther.

§ Paterson's "Ayrshire," vol. ii., p. 394.

church of Old Rokesburgh, with all its appurtenances."\* And in virtue of this connection between the church of Old Roxburgh and the cathedral of St. Kentigern at Glasgow, we find Margaret, wife of Roger of Auldton, stipulating, in 1329, that the sum of forty pounds of silver should be paid to the fabric of the cathedral if she or her heirs should revoke her supplementary grant to the chantry of St. James's Church, Roxburgh.† So in after generations did Alexander Roger, as a faithful son of the Church, and a descendant of the pious laird of Auldton, feel called on to remember the fabric of St. Kentigern.‡

A member of the House of Roger was a distinguished pioneer of the Scottish Reformation, and one of its martyrs. He is thus described by John Knox :—"Johne Roger, a Blake Freir, godly, learned, and ane that had fructfully preached Christ Jesus to the comforte of many in Anguss and Mearnes, whom that bloody man (Cardinal Beaton) caused murther in the ground of the Sea-toure of Sanctandross, and then caused to cast him ower the craig, sparsing a fals bruyt (report) that the said Johnne seeking to flie had broken his awin craig."§ John Roger suffered in 1544, eleven years prior to the martyrdom of his namesake and remote relative John Rogers, the English proto-martyr, who was burned at Smithfield on the 4th February, 1555. He was in all probability a member of the Blackfriars Monastery at Dundee, whence the report of his preaching would readily reach Cardinal Beaton at St. Andrews, a town distant from Dundee eleven Scottish miles.

Andrew Stewart, third Lord Ochiltree, usually styled "The good Lord," was a zealous promoter of the Reformation. His daughter, Margaret Stewart, became second wife of John Knox; the marriage took place in March, 1564, when the Reformer was in his fifty-eighth year. "The good Lord" was probably enlightened in the reformed doctrines by the converted Black Friar, who, we have no doubt was a scion of the family of Roger at Ochiltree, and was born on the estate.

\* Regist. Glasg., p. 14.

† See *ante*.

‡ In his Testament, 12th July, 1547, Allan Stewart, in Allanton, bequeaths "4 pennies to the fabric of S. Kentigern." Among his creditors is "Alexander Roger," to the amount of 6s.

§ John Knox's "Works," edited by David Laing, LL.D., vol. i., p. 119.

The Reformation proved a temporal benefit to the great Reformer's brother-in-law. Between 1570 and 1592 Lord Ochiltree received four charters under the Great Seal of lands and baronies at Ochiltree, including the church lands of the Parish.\* The transference of the tenure led to the exodus from the church lands of the old tenants—the Rogers, whom we must now trace in other scenes.

On the 24th May, 1581, David Roger in Redie,† parish of Airlie, Forfarshire, executed his will. In this document he names Lord Saltoun as his landlord ("maister of the grund") at Airlie, and expresses himself as indebted to Lord Ochiltree in "teind-beir." All Lord Ochiltree's lands were situated at Ochiltree and in the adjoining parishes. David Roger evidently hailed from thence, and as payee of "teind" or feu-duty on his ancestral acres was, it is presumed, head of the House. The Rogers at Redie were persons of considerable substance. David Roger died on the 26th February, 1582. By his will he constituted his elder son William his sole executor, and, excepting "200 merks" to his younger son David, endowed him with his "haill guidis." William Roger died in February, 1589—his free substance at his decease amounting to £1,456 Scots. To his son John he bequeathed the lease of his farm, but his son James appears to have obtained the principal portion of his estate. In 1606 the latter executed a settlement of his affairs, in which he specifies that should his sons die before succeeding him in his "rowme," or inheritance, his daughters should be permitted to enjoy the succession, only on the condition that should they marry, their husbands should bear the surname of Roger.‡ James Roger determined to establish a Family, but he did not succeed. Members of the Roger Family remained at Airlie till the beginning of the present century, when they became extinct in the male line.§

Among the members of the Roger Family who left Ochiltree was William Roger, who died in 1562, tenant-farmer at Coupar Grange, parish of Bendochy, Perthshire. This individual paid rent to the Cistercian Abbey of Coupar of £22 11s. 10d. Scots. At the time of his decease his personal estate amounted to £432 18s. 6d. Scots, exclusive of "silver lent to the laird of Ruthven"—probably his

\* Paterson's "Ayrshire Families."

† Commissariat Record of Edinburgh.

‡ Edinburgh Commissariat Register, 1610.

§ Marriage and Baptismal Registers of Airlie.

wife's dowry. His will, with the corresponding inventory, is a document of sufficient interest to be presented entire. It is as follows:—\*

"The Testament testamentar and Inventar of the guidis geir soumis of money and debtis pertaining to umquhil William Roger, in Couper Grange in Angus the tyme of his decease, quha deceasit in the month of Junij the year of God 1562 years faithfully maid and given up by himself as containing the nomination of executors and inventory of his guidis and partlie maid and given up by Marjorie Blair his relict and William Roger his sone as containing the debtis awand to him and be him quhome he nominat his Executors in his latter Will underwritten, of the daitt at Couper Grange the 16th day of Apryll the year of God foresaid before thir witnesses Alexander Cumming, George Ewen, William Quhittsoun, John Quhittsoun his neibouris with utheris diverse.

"In the first the said umquhil William Roger had the guidis geir soumis of money and debtis of the avail and prices after following perteyning to him at the tyme of his decease foresaid, viz. 8 oxin, price of the peece 6 lib summa 48 lib. Item 3 ky, price of the peece 4 lib summa 12 lib. Item ane horse, twa meres ane foall by the heirezeld horse,† price of them 16 lib. Item 9 stottis and queyis, twa and three years auld, price of the peece our heide 4 merkis, summa 24 lib; 6 auld scheip price of the peece 13s. 4d. summa 4 lib; Item 24 hoggis price of the peece 6s. 8d. summa 8 lib. Item sawin on the ground 40 bollis aittis, estimat to the third corne extending to 6 score bollis aittis, price of the boll with the fodder 20s., summa 120 lib. Item mair 15 bollis beir sawin estimat to the fird (fourth) corne extending to sixty bollis beir price of the bolle with the fodder 30s. summa 90 lib; Item in peis 58 lib money. Item in utensils and domicilis with the abulzements of his bodye estimat to three score pundis. Summa of the Inventar 440 lib.

"Followis the debtis awand to the deid. Item, there wes awand to the said umquhil William Roger be William Quhittsoun in Couper Grange 20 merkis—Item Mair be him 6 libs for whilk he is actit in the officials bookis of Dunkeld.

"Item be John Guthrie 42s.

"Summa of the debtis awand to the deid 20 lib 3: 6d.

\* Edinburgh Commissariat Register.

† A horse which the lord of the manor had a right to claim.



"Summa of the Inventar with the debtis 460 lib 3 : 8d.

"Followis the debtis awand be the deid.

"Item, ther wes awand be the said umquhil William Roger to the Abbey of Couper for the ferm of the grund in anno 1562 15 bollis 1 peck beir at 30s. the boll, summa 22 libs 11s. 10d.

"Mair 3 bollis aittis at 20s. the boll, summa 3 libs. Item Mair for the teind in anno foresaid 12 bollis' victuall thereof 5 bollis beir and 7 bollis meat at 30s. the bolle over heid—summa 18 libs.

"Item, to his servants for the rest of their yearis fee and bounthith, viz. to Johne Simpson, 30s. to Robert Spence 30s. and to Margaret Moncur 13s. 4d.

"Summa of the debtis awand to the deid 27 lib. 5s. 2d. Restis of free geir the debtis deductit 432 lib. 18s. 6d. to be dividit in three partis; the deid's part \* is 144 libs 6s. 1d. whereof the quot is componed for four libs.

"Follow the Deids legacy and latter will.

"At Couper Grange the 16th day of April the yeir of God 1562 yeirs the whilk day the said William Roger made his legacy and latter will as follows :—

"I leave Executors and Intromitters my wife Marjorie Blair and my son William Roger. I mak Oversmen David Roger in Redie William Roger his son Johne Diksoune and Johne Broun to see that the Executors do that they aucht to do to the bairnis and the gudewyf als lang as she halds hir but ane man to be maister of the hale hous. The silver that is in the Laird of Ruthven's hands gif it happens to be delyverit in the gudewyf's tyme, the gudeman and the gudewyf are content that it be delyverit to the bairnis and disponit to them quha hes mister† be sight of the Oversmen. And this baith the gudeman and the gudewyf is content hereof with the advice of all the Oversmen together.

"This was done before thir witnesses Alexander Cumming, George Ewen, William Quhittsoun, John Quhittsoun, his neibouris with

\* The "deid's part" is that portion of a man's movable estate which he is entitled to dispose of by testament. If a man leaves a widow and no children, the widow is entitled to one half of the free movables as her *jus relicte*. If children are left and no widow, one half of the free movables go to the child or children as *legitim*. When both widow and children are left, the widow has a third as a *jus relicte*, the child a third as *legitim*, and the remaining third constitutes "the dead's part," which may be disposed of by will according to inclination.

† Need.



utheris divers. Sic subscribitur, William Roger. The above Will was confirmed before the Commissary at Dunkeld on the 18th July, 1583."

At the Reformation the lands of the Cistercian Abbey of Coupar were divided into twelve portions.\* One of these portions—which had constituted the farm of William Roger of "the Will"—became the property of his son William, who, by William Roger of Redie, in his will executed in 1589, is styled "portioner of Coupar-Grange." The estate was probably purchased with the sum of money which his parents had lent at interest to the Laird of Ruthven.

By the extinction of the House of Roger of Redie, elder branch of the Rogers of Ochiltree, the representation of the Family reverted to the Rogers of Coupar-Grange. William Roger, portioner of Coupar-Grange, is in 1589† styled by William Roger of Redie, his "brother-in-law;" which would imply that even a few years after the Reformation the marriage of cousins was not obnoxious or distasteful. William Roger, of Coupar-Grange, was father of two sons, William, his successor, and George. The latter proceeded to Dundee, and there engaged in merchandise and shipping. He died in 1611, aged thirty-three; his tombstone in the old burial-ground of Dundee is inscribed thus:—"Hic · dormienti · pietate · et · virtute · insigni · viro · Georgio · Roger · Navclero · et · civi · hvivs · oppidi · qvi · obiit · anno · 1611 · die · primo · Octobris · ætatis · vero · svæ · anno · 33 · hoc · faciendvm · procvrauit · eivs · conivnx · Elizabetha · Lochmalovnie · mihi · hodie · cras · tibi." By his wife, Elizabeth Lochmalonie, he left one son, William, who became a prosperous merchant at Dundee, and held office in the Magistracy. He married Euphan, daughter of James Man, merchant, maternal aunt of William Duncan, of Seaside, a progenitor of the Earls of Camperdown. *Bailie* William Roger mortified or bequeathed in 1659 "one half of his real and personal estate" for the education and training of seven "poor male children" within the burgh. His widow established a Merchants' Widows Fund at Dundee. William Roger, second "portioner," of Coupar-Grange, married Elspeth Angus, by whom he became father of George Roger, who was baptized on the 28th January,

\* "New Statistical Account of Scotland," vol. x., p. 1190.

† Will of William Roger, of Redie, formerly quoted.

1649.\* According to family tradition, William Roger died of "the Plague," a pestilent sickness which visiting this part of the country in 1664 decimated the population. His widow disposed of the family estate to a prosperous tradesman. George Roger continued to reside on the estate till his death in 1710. He married Catherine, daughter of Bisset, Bar<sup>on</sup> of Bilbo,† and had issue four sons, William, Charles, James, and Patrick, and three daughters, Anne, Margaret, and Janet. Anne, the eldest daughter, born May, 1680, married John Davie, parish of Coupar-Angus, and had issue. The second daughter, Margaret, born April, 1682, married John Stewart, farmer, Greendykes, Perthshire, and had issue. Janet, the youngest daughter, baptized 19th September, 1686, married 1st April, 1709,‡ James Playfair, farmer, Couttie, parish of Bendochy,

\* Baptismal Register of Bendochy.

† A small barony in Perthshire, now included in some larger possession, and the name forgotten.

‡ John Playfair, brother of James Playfair, farmer, Couttie, rented a farm at Coupar-Grange. He married Jean Ure, and was father of four sons, Patrick, Charles, James, and John. James was baptized 25th February, 1714, studied at the University of St. Andrews, and obtained licence as a probationer of the Church, 6th September, 1739. He was ordained minister of the united parishes of Liff and Benvie, 2nd March, 1743, and died 28th May, 1772. By his marriage with Margaret Young he had seven sons, of whom five attained maturity; viz., John, Robert, William, Andrew, and James, and three daughters, Margaret and Barbara, and a daughter who died young. John, the eldest son, was born 10th March, 1748, and was educated at the University of St. Andrews. In his eighteenth year he became candidate for the Professorship of Mathematics in Marischal College, Aberdeen, and though unsuccessful, highly distinguished himself in a public competition. In 1773 he was ordained minister of Liff and Benvie, in succession to his father. In 1785 he was appointed joint Professor of Mathematics in the University of Edinburgh, a chair which he exchanged for that of Natural Philosophy in 1805. He died unmarried, 19th July, 1819. He published "Elements of Geometry," "Outlines of Natural Philosophy," and many other valuable scientific works. He is commemorated by a monument on the Calton Hill of Edinburgh.

Robert, second son of the Rev. James Playfair, of Liff and Benvie, married Margaret Macniven. Their son, William H. Playfair, was architect of Donaldson's Hospital, the New College, and other public buildings at Edinburgh. He died 18th of March, 1857.

William Playfair, a younger son of the Rev. James Playfair, of Liff and Benvie, and brother of Professor Playfair, was an ingenious mechanic, and an eminent miscellaneous writer. He was born in 1759, and died 11th February, 1823. He married, and left sons and daughters. John, youngest brother of the Rev. James

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by whom she became mother of six sons, George, James, Patrick, William, Charles, and John, and five daughters, Catherine, Barbara, Margaret, Isobel, and Janet. Of the sons, James, Patrick, William, and John died unmarried.

Charles, the fourth son, baptized 26th April, 1721, rented the farm of Muirton, parish of Bendochy. He married, 3rd July, 1750, Catherine Henderson, parish of Blairgowrie, and had issue ten sons, James, George, Charles, David (died in infancy), John (died in infancy), David, John, William, Ebenezer, and Peter; and two daughters, Margaret and Catherine. Margaret, elder daughter, born December, 1768, married John Hill of Cotton, in the county of Forfar, and had issue two sons, John and David, and two daughters, Catherine and Anne. John Hill, the elder son, born 1793, succeeded his father in the estate of Cotton; he died, unmarried, in 1847. He was succeeded by his brother David, who was born in 1801, and died, unmarried, in 1860. Catherine, elder daughter, died young; Anne, younger daughter, born in 1798, married James Thomas, solicitor, Perth, and died in 1840, leaving two sons and two daughters. Catherine, younger daughter of Charles Playfair and Catherine Henderson, married John Clarke, farmer, Balbrogie, and had issue. James, the eldest son of Charles Playfair, and grandson of Janet Roger, baptized 3rd May, 1752, was licensed 6th August, 1777, and ordained minister of Bendochy, 7th February, 1791. On the 19th December, 1790, he married Grizel Duncan, by whom he had four sons, Patrick, Charles, James, and George, and a daughter, Catherine. He died 22nd April, 1812.\*

George, eldest son of James Playfair, and Janet Roger, rented the farm of Knowhead, or West Bendochy. He married his cousin, Jean Roger (see *postea*).

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Playfair, married Catherine, daughter of John Moncur, farmer, Nether-town of Coupar-Grange, by whom he became father of two sons, Patrick and John, and of five daughters, Isabel, Grizel, Elizabeth, Jean, and Catherine.

\* The Rev. James Playfair, minister of Bendochy, composed a large and important work on the culture and management of bees, the MS. of which was unhappily destroyed by a fire in the printing-office. The author had bestowed twenty years on its preparation, and could not be induced to make an effort towards retrieving his loss.

David, sixth son of Charles Playfair, and grandson of Janet Roger, born March, 1765, rented the farm of Hill of Couttie, parish of Bendochy; he married, and had issue. Peter, the youngest son, emigrated to the West Indies, and there died *s. p.*

Charles, second son of George Roger and Catherine Bisset, born June, 1689, married first Grizel Mackie, June, 1716, and secondly Margaret Hill, parish of Eassie, March, 1718. By his second marriage he had issue two children, John and Catherine, who both died young. James, third son of George Roger, born April, 1691, died, unmarried, 2nd December, 1706, and is commemorated by an altar tombstone in the churchyard of Bendochy. Patrick, fourth son of George Roger, born March, 1693, rented a farm at Coupar-Grange. He married, 14th August, 1718, Margaret Kidd, parish of St. Martin's, and had issue six sons, James, George, William, Thomas, Charles, and Patrick, and four daughters, Janet, Jean, Barbara, and Margaret. Janet, eldest daughter, born January, 1727, married John Blair, and had issue. James, eldest son, born November, 1719, married Margaret Corson, and had issue, Peter, born September, 1748; James, born April, 1750; Margaret, born March, 1752; and Sophia, born September, 1754. George, second son, engaged in business at Dundee, married, and had issue. William, third son, rented a farm at Tealing, married, and had issue. Charles, fifth son, a manufacturer, and Convener of the Incorporated Trades in Dundee, married, first, Grizel, eldest daughter of Thomas Davidson, of Wolflaw, and secondly Catherine Young, Dundee. By his second marriage he had issue Charles Young Roger, a daughter Catherine, and others.

William, eldest son of George Roger, was baptized 20th January, 1684. He married, first, Margaret Wright, daughter of the Laird of Lawton, near Coupar-Angus, and secondly (12th August, 1726), Janet Gellatly, parish of Lethendy. By his first marriage he had issue George, born May, 1716; Jean, born January, 1711; Janet, born June, 1714; Barbara, born March, 1718; and Sophia, born April, 1719, who died young. By his second marriage he had issue William, born June, 1727; Peter, born May, 1732; David, born February, 1735, and Sophia, born December, 1729.

Of William Roger's daughters, Jean, the eldest, married her cousin, George Playfair, farmer, Knowhead; she died at St. Andrews in 1804, aged ninety-three. She was mother of two sons,

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William and James. William, baptized 7th December, 1736, died young. James, the younger son, born December, 1738, was ordained minister of Newtyle, Forfarshire, 1st November, 1770. He was translated to the neighbouring parish of Meigle, and in 1799 was appointed Principal of the United College, St. Andrews, and minister of St. Leonard's Church in that city. Principal Playfair published "Systems of Chronology and Geography" and other historical works. He was Doctor of Divinity, and Historiographer to His Royal Highness the Prince of Wales. He died 26th May, 1819. He married, 30th September, 1773, Margaret Lyon,\* descended from a branch of the noble family of Strathmore (who died 4th November, 1831), and had four sons and five daughters. George, the eldest son, born 1782, became Principal Inspector-General of Hospitals, Bengal. He married Jessie Ross, and had issue (with others now deceased) George, born 1816, lately Principal of the Medical College, Agra;† Lyon, M.P. for the Universities of St. Andrews and Edinburgh; Robert Lambert, born 1828, lately Consul at Zanzibar, and now Consul-General at Algiers; William Smoult, born 1835, physician in London, and James Octavius, deceased. George Playfair died in 1845.

William Davidson Playfair, second son of Principal Playfair, and grandson of Jean Roger, born 1783, became a Colonel in the Indian Army; he married Ann Ross, and had issue thirteen sons and daughters, of whom survive *Colonel George William, Major Elliot*

\* Mrs. Playfair's brother, the Rev. James Lyon, D.D., minister of Glamis (died 3rd April, 1838), married, 25th January, 1786, Agnes, daughter of John Ramsay L'Amy, of Dunkenny, Forfarshire. This lady was author of "Neil Gow's Farewell to Whisky," and other poetical compositions. She died 14th December, 1840.

† Dr. Lyon Playfair was born at Bengal in 1818. In 1843 he was appointed Professor of Chemistry in the Royal Institution, Manchester. After serving as a Sanitary Commissioner, Chemist to the Museum of Practical Geology, Joint Secretary to the Department of Science and Art, and Inspector-General of Government Museums, he was in 1858 elected Professor of Chemistry in the University of Edinburgh, and President of the Chemical Society of London. He resigned his university chair in 1869, on being elected representative in Parliament of the Universities of St. Andrews and Edinburgh. He is Ph.D. of Giessen; LL.D. of St. Andrews and Edinburgh; a Fellow of the Royal Society; and Companion of the Bath. Dr. Lyon Playfair married, in 1846, Margaret, daughter of James Oakes, of Riddings, Derbyshire; and in 1857, Jean Ann, daughter of Crowley Millington, of Crowley House, and has issue.

Minto, *Major* William, and Jessie, wife of Stuart Grace, Town Clerk, St. Andrews. Colonel W. D. Playfair died in 1852.

Lieutenant-Colonel Sir Hugh Lyon Playfair, LL.D., third son of Principal Playfair, was born in 1786. He was distinguished in India as an artillery officer, and as constructor of the great military road between Calcutta and Benares. For many years chief magistrate of St. Andrews, he found the place in decay, and effected its restoration. For his important services in India and as restorer of the city of St. Andrews he was honoured with knighthood and other distinctions. He died at St. Andrews on the 23rd January, 1861, in the 75th year of his age. He is commemorated by an elegant monument in the cathedral churchyard, St. Andrews. By his marriage with Jane Dalgleish, of Scots-craig, he had eleven children. His eldest son, William Dalgleish, lieutenant in the 33rd Regiment, Bengal Native Infantry, fell at the battle of Sobraon, 16th February, 1846, aged 25 years. His second son, Arthur, an officer in the Indian Army, also fell in one of the engagements in India. Frederick, third son, now a major in the Indian Army, married in 1855, and has issue. Archibald, fourth son, is in the Indian service. The youngest son, Henry, is resident in Glasgow. Of Sir Hugh's daughters, Margaret Adelaide, the eldest, married *Lieutenant* Charles McKechnie, 93rd Regiment, and died, leaving issue. Jane Julia, second daughter, is wife of Gregor McGregor, banker, St. Andrews. Mary, third daughter, married C. Murray, merchant, China; and Frances Makgill, fourth daughter, married William Lees, A.M.

James Playfair, youngest son of Principal Playfair, and grandson of Jean Roger, was born in 1791. He was a merchant in Glasgow, and a magistrate of that city. He was twice married, and left issue. His eldest surviving son, John, is settled as a merchant in Toronto. Another son, George, is a merchant at Glasgow. His only daughter, Margaret, is wife of the Rev. William Fraser, A.M., minister of Free St. Bernard's Church, Edinburgh. James Playfair died in 1866.

Of Principal Playfair's five daughters, Margaret, the eldest, died unmarried, August, 1810. Jean, second daughter, married Patrick Playfair, of Dalmarnock, 4th February, 1802. Janet, third daughter, married the Rev. James Macdonald; she died 20th October, 1864. Mary Lyon, fourth daughter, married, 14th May, 1808, Colonel (afterwards General) David Campbell, of Williamston, Perthshire; she died in 1810, leaving one son, James David Lyon Campbell, of Williamston,

who married Alicia Richarda Houghton, and had issue four sons, Charles, Henry, George, and Arthur. The Principal's youngest daughter, Hugh Elizabeth, married Samuel Caw, merchant, Glasgow, 23rd January, 1810; issue two sons, John, deceased, and James, an eminent artist.

Barbara, third daughter of William Roger, married James Millar, farmer, Coupar-Grange, and had issue one son, George, who died *s. p.*, and four daughters, Isabella, married William Taylor, Meigle; Jean, married John Duncan, farmer, Bothrie, died *s. p.*; Elizabeth, married Peter Crichton, farmer, Hatton, parish of Newtyle, with issue; and Barbara, married William Gow, farmer, Coupar-Grange, with issue.

Sophia, fifth daughter of William Roger, born 1729, married, 23rd August, 1701, John Playfair, farmer, West Town of Coupar-Grange, and had issue four sons, William, born February, 1755 (died young); John, born 1763; Patrick, born September, 1765; James, born March, 1769 (died young); and four daughters, Anne, born February, 1753; Sophia, born January, 1762 (died young); Jean, born July, 1767; and Margaret, born April, 1771. Anne, the eldest daughter, married, 20th December, 1774, Thomas Myles, merchant, Perth, and had issue three sons, John, Robert, and Thomas. The two latter died unmarried. John, engaged in merchandise. He married Margaret, daughter of the Rev. Alexander Blyth, minister of the Associate Church, Kinclaven, Perthshire, and had issue. His eldest son, the Rev. Thomas Myles, minister of Aberlemno, Forfarshire, is author of "The Kernel of the Controversy," and other publications. John, the younger son, is a solicitor in Forfar. Jean, third daughter of John Playfair and Sophia Roger, married Peter Grant, Perth, and had children, who all died young. Margaret, youngest daughter of John Playfair, married Robert Davidson, farmer, Tealing, Forfarshire, and left one daughter, who married Thomas Mudie, and had issue.

John, second son of John Playfair and Sophia Roger, married Margaret Henderson. He was a merchant in Perth, and there died in 1833 without issue.

Patrick, third son of John Playfair and Sophia Roger, engaged in merchandise in Antigua, and having realized a fortune, purchased the estate of Dalmarnock, in the county of Lanark. He married, 4th February, 1802, Jean, second daughter of Principal James Playfair,



of St. Andrews; she died 24th November, 1852. Patrick Playfair died 26th November, 1836; he was father of five sons and five daughters. James, the eldest son, died, unmarried, 22nd February, 1866; two sons, each named John, died young; Patrick is a merchant in Glasgow, and president of the Chamber of Commerce in that city; he married Georgiana, daughter of John Muir, merchant, Glasgow, and has issue six sons and three daughters; the youngest son is the Rev. David Playfair, B.A., Cantab., minister of Abercorn, Linlithgowshire; he married in 1854 Jane Kincaid, daughter of James Pitcairn, M.D., Edinburgh, and has issue two sons and two daughters.

Margaret, eldest daughter of Patrick Playfair, and granddaughter of Sophia Roger, married, 27th April, 1831, the Rev. Charles Jobson Lyon, minister of the Episcopal Church, St. Andrews, and author of "History of St. Andrews," 2 vols., 8vo., Edin., 1843, and has issue three sons and two daughters. Sophia, second daughter of Patrick Playfair, married, 1st October, 1834, the Rev. James Chrystal, D.D., minister of Auchinleck, with issue four sons and two daughters. Mary, third daughter of Patrick Playfair and granddaughter of Sophia Roger, married, 23rd July, 1839, the Rev. Patrick Fairbairn, D.D., now Principal of the Free Church College, Glasgow; she died 9th December, 1852, leaving two sons and two daughters. Anne and Jane Hugh, younger daughters of Patrick Playfair of Dalmarnock, are unmarried.

George Roger, son of William Roger by his first wife, Margaret Wright, died unmarried; William, second son of William Roger, and first by his second marriage, rented the farm of Coupar-Grange. He married, first, Isabella, daughter of George Constable, Bendochy, and secondly, Elizabeth, daughter of J. Robertson, Tullynydie. His two sons George and William, and his daughter Margaret, died in infancy. His surviving daughter Janet married John West, farmer, Mayriggs, parish of Bendochy, and had issue two sons.

Peter, third son of William Roger, rented the farm of Ryehill Coupar-Grange. On the 27th June, 1766, he married Janet, youngest daughter of Thomas Davidson, of Wolfslaw, parish of Oathlaw, Forfarshire. This gentleman was born in 1705; he married Anne Curr, by whom he had one son and three daughters. Grizel, the eldest daughter, married first, James Davidson, shipmaster, Dundee; and secondly, Charles Roger, manufacturer, Dundee, (see *supra*). Margaret, the



second daughter, was born in 1731, and married James Neish, merchant, Dundee; she died in 1824, leaving three sons and two daughters. The Neish family is represented by James Neish, of Laws and Omachie, and William Neish, of Clepington and Tannadice, grandsons of Mrs. Margaret Neish, or Davidson.

John, only son of Thomas Davidson, of Wolfslaw, was born in 1747; he succeeded to his father's inheritance, and died unmarried in 1779, when the property was sold. Thomas Davidson was only child of Alexander Davidson, Baldragon, parish of Auchterhouse, Forfarshire, and of his wife Margaret Fleming. Alexander Davidson is alleged to have been the youngest son of Robert Davidson, of Balgay, and his wife Elizabeth Graham, a descendant of Sir William Graham of Kincardine, and a near relative of John Graham of Claverhouse, afterwards Viscount Dundee. This is stated on the authority of a member of the family now deceased, but has not been verified. The present representative of the Grahams of Claverhouse is Miss Clementina Stirling Graham, of Duntrune, the ingenious author of "Mystifications," Edin., 1865, 8vo.

Peter Roger, and his wife, Janet Davidson, had issue three sons; James and Charles, of whom hereafter, and John, born 29th March, 1772, who died in 1780; and four daughters; Anne, born July, 1769, and died in 1780; Margaret, born 17th July, 1774, died 24th November, 1858; Sophia, a twin with her brother Charles, born 5th November, 1780, died 7th May, 1822, and Isabella, born 21st April, 1777, died 23rd December, 1854. Peter Roger died 27th January, 1809, and his wife, Janet Davidson, 23rd June, 1825.

Charles, younger son of Peter Roger and Janet Davidson, was born 5th November, 1780, and died 26th March, 1865. In 1847 he published a work entitled "A Collation of the Sacred Scriptures," in which the more remarkable variations in the several English versions have been ingeniously compared. He married, first, in 1810 Isabella Allan; secondly, in September, 1817 Anne, daughter of John Cruikshank, of St. Vincent; and thirdly, in 1828, Jane McLaggan; and had issue three sons, Charles, James, and Patrick, and three daughters, Anne, Sarah, and Sophia. Charles, the eldest son, published "The Rise of Canada," Quebec, 1856, 8vo. James Cruikshank, the second son, is a barrister-at-law, and F.S.A. Scot; he has contributed to the periodicals some interesting papers on Heraldry and Scottish antiquities.

James, eldest son of Peter Roger, and heir male and representative of the Roger Family in Scotland, was born on the 24th June, 1767. Having studied at the Universities of St. Andrews and Aberdeen, he obtained licence as a probationer of the Established Church on the 4th May, 1791. He was ordained minister of Dunino, in the county of Fife, on the 2nd May, 1805; and died 23rd November, 1849. He published "General View of the Agriculture of Angus, with Preliminary Observations," by George Dempster, Esq., of Dunnichen, Edin., 1794, 4to., and "Essay on Government," Edin., 1797, 8vo.; he contributed to the "Old and New Statistical Accounts of Scotland." \* He married, 23rd January, 1823, Jane Haldane (born 19th January, 1804), elder daughter of the Rev. William Haldane, minister of Kingoldrum (only son of James Haldane, of Bermony), and his wife, Anna, second daughter of the Rev. Charles Roberts, presbyter of the Scottish Episcopal Church, and his wife Anne,† elder daughter of Sir John Ogilvy, Bart., of Innerquharby by his second wife, Anne,‡ daughter of James Carnegie, of Finhaven. Mrs. Jane Roger *née* Haldane, died 18th April, 1825, leaving an only child, Charles Rogers—the writer of these "Notes."

Having traced with some minuteness the pedigree of the eldest branch of the Scottish House of Roger, we would now adduce some particulars respecting the descent of the younger branches. A portion of the original stock of the Auldton line remained at Roxburgh till the end of the eighteenth century. In 1783, the surname appears for the last time in the register of Roxburgh parish. A branch of the family is settled in the county of Selkirk.

A branch of the Roxburghshire Family of Roger, which early settled on lands belonging to Dryburgh Abbey at Crail, Fifeshire,

\* For Recollections of the Rev. James Roger, of Dunino, see "A Century of Scottish Life," Edin., 1871, 12mo., pp. 40-97.

† Mrs. Anne Roberts, *née* Ogilvy, married secondly John Duff, merchant, Dundee. Of this marriage were born three daughters, Innes, Barbara, and Margaret. The two latter died spinsters. Innes, the eldest daughter, became second wife of the Rev. John Skinner, Dean of Dunkeld, author of "Annals of Scottish Episcopacy," Edin., 1818, 8vo., son of Bishop John Skinner, of Aberdeen, and grandson of the Rev. John Skinner, author of "Tullochgorum." Dean Skinner was born 20th August, 1769, and died 2nd September, 1841. His widow, Mrs. Innes Skinner, *née* Duff, has attained her ninety-third year.

‡ A sister of Mrs. Roberts was married to Sir Robert Douglas, Bart., of Glenbervie, author of the "Peerage and Baronetage of Scotland."

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and which long enjoyed a large measure of prosperity, is in the male line nearly extinct. Of a branch which settled at Edinburgh prior to the Reformation, one household seems after that event to have clung to the old faith, for in October, 1563, Christian Pynkertoun, wife of James Roger, merchant burghess in Edinburgh, was arraigned before the Justiciary Court for being present at mass in Holyrood Chapel.\* John Roger, of the Canongate, Edinburgh, conformed to Protestantism; on the 2nd December, 1564, he had his "maiden child Dorothy" baptized by the minister of the Canongate.†

A descendant of the Ochiltree Family, William Roger, settled in Ayr as a merchant, and became prosperous. Dying in January, 1578, he was succeeded by his brother Thomas Roger.‡ A son of Thomas was Parliamentary Commissioner for the burgh of Ayr; his name as "Wilelmus Roger, pro Air," appears on the Roll of the Parliament held in Holyrood House on the 28th January, 1593. He was father of the Reverend Ralph Roger, an eminent sufferer in the cause of Presbytery. Ralph Roger was ordained minister of Ardrossan on the 27th May, 1647. Declining a call to Ayr, his native parish, he was afterwards preferred, on the invitation of the people, to the Cathedral Church, Glasgow. To this charge he was admitted on the 5th June, 1659. Having joined the Protesting party he was in October, 1662, deprived of his charge. By the Privy Council on the 7th June, 1669, he was "indulged" at Kilwinning, being the first who was so favoured. He was one of those who, on the 14th December, 1670, met at Paisley with Archbishop Leighton, with a view to an accommodation. For not observing the anniversary of the Restoration, he was fined in half his stipend, 8th July, 1673. In the year 1676 he preached in Glasgow. In the year following he presided at a meeting of "outed" Presbyterian ministers, attended both by the *indulged* and the non-*indulged*. On the removal of the indulgence in 1684 he was imprisoned at Edinburgh, for refusing "to give bond not to exercise his ministry in any part of Scotland." On the renewal of the indulgence in 1687 he resumed his ministrations at Glasgow. Mr. Ralph Roger died on the 3rd February, 1689. He had married, first, Margaret, daughter of Alexander

\* Pitcairn's "Criminal Trials."

† Baptismal Register of the Canongate.

‡ Will of William Roger, merchant-burghess in Ayr, confirmed 26th September, 1598.—*Edinburgh Commissariat Register*.

Wryttowne, in Kilwinning, and, secondly, Janet Craigengelt. In his personal estate he was succeeded by his only daughter Maria.\*

A member of the Ochiltree Family obtained in 1599 the lands of Wester Rossland, Renfrewshire.† His descendants acquired the adjacent lands of Hay-hill, Long-Meadows, and Gladstone, all formerly belonging to the Brisbanes of Bishoptown. The Rev. Mathew Rodger, minister of the College Church, St. Andrews, is the present proprietor of Rossland, and is lineal representative of this branch.

A branch of the Ochiltree Family settled at Glasgow,‡ and there attained considerable opulence. William Rodger was a prosperous merchant in Glasgow in 1605.§ Of that city Robert Rodger, his grandson, was Dean of Guild in 1698; he subsequently became Lord Provost, and in 1708 was elected M.P. for the burghs of Glasgow, Renfrew, Dumbarton, and Rutherglen. His son Hugh also held the office of Lord Provost.¶ Robert Rodger, son of William Rodger, wood merchant, Glasgow, and latterly a magistrate of the city, contributed to the Maitland Club a quarto volume, edited by Mr. Joseph Stevenson, entitled, "Documents illustrative of Sir William Wallace his Life and Times." His sister, Janet Rodger, married, in 1829 General Sir John Alexander Agnew Wallace, Bart., of Lochryan, a descendant of Malcolm Wallace, father of the great Scottish hero.¶¶

Of the Ochiltree Family a branch has long been settled in Ireland. On the 11th May, 1613,\*\* John Roger obtained the farm of Dryan, in the barony of Raphoe, and county of Donegal, from James Cunningham, of Glengarnock, an Ayrshire landowner, who, three years before, had acquired forfeited lands in Ulster. In effecting a settlement in Ireland John Roger may have been assisted by James Lord Ochiltree, the famous chancellor, who warmly interested himself in the Scottish settlement of Ulster.†† In Ireland members of

\* Dr. Hew Scott's "Fasti Ecclesiæ Scoticanæ." Edin., 1869, 4to., vol. ii. pp. 5, 6, 157, 181.

† In the Act of Exceptions from the Act of Indemnity passed in 1662, John Rodger, of Park, Renfrewshire, is fined £300 Scots.

‡ In Lib. Coll. Nostri Domine, Robert Roger and William Roger occur as owners of properties in Glasgow in the first half of the 16th century.

§ "View of the Merchant's House of Glasgow." Glasgow, 1856, 4to., p. 91.

¶ Anderson's "Scottish Nation," *vide* Roger.

¶¶ Burke's "Peerage," *vide* Wallace, Bart., of Craigie.

\*\* Ing. Canc., Hib. Rep. ii.

†† "Correspondence of the Earl of Melrose," 4to., vol. i., p. 172.

the family occupy a respectable social status; several are clergymen of the Irish Presbyterian Church. There is a place called Rogers-town in the county of Louth.

The armorial escutcheon of the Scottish House of Roger has not been conclusively determined. The shield of Roger du Mont Beaumont in Normandy, according to Chevillard, is argent, on a fesse sable three roses of the field, and in base three lions rampant of the second two and one, all within a bordure gules.\* Quoting from Workman's MS., Nisbet assigns Roger, "of that ilk," vert on a fesse argent between three piles in chief, and a cinquefoil in base of the last—a saltier of the first. "Mr. Pont," he adds, "gives to the name of Roger only vert a fesse argent, and to another family of the name, sable, a stag's head erased argent, holding in its mouth a mullet *or*."† The members of the Scottish House have spelt the name variously—such as Roger, Rogers, Rodger, and Rodgers. The Coup-ar-Grange, or eldest branch, long maintained the original spelling, but the present representative has adopted the English form.

These Notes were incomplete without some reference to an eminent person of the name who shares with James I. the honour of originating Scottish music. Sir William Roger, or Rogers, was introduced to the court of James III. in the train of the ambassador of Edward IV. His musical abilities recommended him to the King, who appointed him president of a school of music, and in guerdon of his services granted him knighthood, and raised him to the Privy Council. To enable him to sustain his rank the king, by a charter under the Great Seal, dated 29th November, 1469, bestowed on him the lands of Traquair, forfeited by Lord Boyd.‡ The elevation of Roger and of others, whom the King on account of their accomplishments delighted to honour, exasperated the nobility, who menaced vengeance. To modify their resentment, Roger, after possessing the lands of Traquair for nine years, disposed of them at a nominal sum to the Earl of Buchan, one of the most powerful and vigorous of his opponents. On the 19th September, 1478, he executed a notarial instrument of sale in favour of Lord Buchan, dis-

\* "Nobiliaire de Normandie," 1666, folio.

† Nisbet's "Heraldry," vol. i., pp. 59.

‡ Traquair Papers, quoted in "Chambers's History of Peeblesshire," Edin., 1864, 8vo., pp. 81-86.

posing of his entire estate for seventy merks Scots, or £3 15s. 10d. sterling. But the self-denial of the musician did not avail in subduing the animosity cherished against him and the King's other favourites. In 1482, when the King was on an expedition southward to check the advance of an English army, Lord Buchan and other nobles seized on the royal favourites, and without legal form condemned them to execution. Sir William Roger was, with others, hanged at the Bridge of Lauder. "Rogers' musical compositions,"\* remarks Mr. Tytler, "were fitted to refine and improve the barbarous taste of the age,\* and his works were long after highly esteemed in Scotland."†

\* "History of Scotland," by Patrick Fraser Tytler. Edin., 1869, 12mo., vol. ii., p. 243.

† Several seals associated with the name of Sir William Roger in Mr. Henry Laing's 'Supplementary Catalogue of Scottish Seals' (1866, 4to.), are modern forgeries.—"Notes and Queries," 1868-71, *passim*.

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THE STAGGERING STATE OF SCOTTISH STATESMEN.  
FROM 1550 TO 1650. BY SIR JOHN SCOT, OF SCOT-  
STARVET. WITH A MEMOIR OF THE AUTHOR AND  
HISTORICAL ILLUSTRATIONS.

BY THE REV. CHARLES ROGERS, LL.D., F.S.A. SCOT.

*Historiographer to the Historical Society.*

PREFACE.

THE "Staggering State" has been reprinted, neither on account of its historical value, nor in evidence of the capacity of learning of its author. It is a work unique of its kind—a performance in which biographical details are blended with that peculiar gossip which is the offspring of envy and all uncharitableness. It is a record of history and calumny—a repository of fireside chit-chat respecting conspicuous persons at a period when, if, on the one hand, statesmen served themselves rather than the State, on the other, evil report proved an intellectual relish to many who were capable of more rational enjoyments. In connexion with the performance, it is not the least remarkable feature that it was composed by one who frequented the first circles, was related to the best families, and was one of the most learned persons in the kingdom. Nay, more, the author was in some matters singularly generous; his benefactions were munificent, and his patriotism equalled his benevolence. Yet he has withal produced a most uncharitable book; and it may be questioned whether Sir Anthony Weldon himself has dealt with Scotsmen after a severer fashion. On the old maxim of the Regent Mar, he has "spoken furth, and spared nocht;" and, like the Scottish "Wife of Bath," has given all their *dittay*, or accusation, without pity and without remorse. He has scattered firebrands, and few of his contemporaries have escaped. He wrote while writhing under disappointment and public wrong. Probably he intended to give vent to his resentment, and then to allow what he had written to perish with the angry passion which evoked it. The "Staggering State" was written when the author had reached his eightieth year. Upwards of other fourscore years it remained unprinted—copies, however, being multiplied in MS. Of these many were incorrectly written. In 1754 Walter Goodal prevailed on the firm of Walter Ruddiman and Co. to print an edition which he had prepared; this work, in a duodecimo of 190 pages, has latterly become scarce. Mr. Goodal edited carefully; he founded his text on an old MS. which he believed to be contemporaneous, and to contain "additions, and even whole lives, in the author's own hand." That MS. is preserved in the Advocates Library (press-mark, 34, 3, 2), and while

its contemporaneity may be doubted, it is unquestionably ancient. Of two other MSS. in the Advocates Library, one, a thin folio. (press-mark, 34, 3, 1) seems to belong to a date anterior to the MS. used by Goodal. The other is modern. Two MSS., one in the Library of the British Museum, and the other in the University Library, St. Andrews, are of no particular value. Two others, one belonging to the close of the seventeenth, and the other to the beginning of the eighteenth century, have been placed at the editor's disposal by Mr. Laing of Edinburgh.

After a careful examination of the various MSS., the editor has not felt justified in making any material alteration on the text arranged by Goodal. That Goodal has modernized the author's orthography may not be overmuch censured, for each transcriber seems to have adopted his own mode of spelling, and when the present editor attempted to restore the original reading, he encountered difficulties which were insuperable. Some of Goodal's notes have been retained; also his "Account of the Great Officers of State," and his "List" of these Officers from the earliest times till the Restoration. For his "List" Goodal has acknowledged his obligations to the collections of Sir James Balfour and Dr. George Mackenzie.

The Memoir of Sir John Scot has, as a whole, been prepared from original sources of information. The details of his life cause a regret that his name should be associated with the gossip of "The Staggering State." He was one of the most enterprising Scotsmen of his age—he exercised an independent judgment on all questions, ecclesiastical and civil; and though desirous of retaining the emoluments of office, he devoted a portion of his wealth to the interests of the State and the welfare of his countrymen. In his old age, writhing under disappointment, he dipped his pen in gall and smote everywhere. Happily, from the universality of his attacks, none have suffered materially. It would be ridiculous that any descended from the sufferers should now utter a complaint. Better is it to reflect that we live in times when men differ on public topics without cherishing mutual hate, and when calumny more frequently recoils upon the utterer than reaches its victim.

The editor regrets that the Earl of Morton has had no leisure to furnish copies of several of the author's letters preserved in his Lordship's repositories. The readiness of the Duke of Portland to furnish information has been creditable to his Grace, both as Sir John Scot's representative and as a member of the Peerage. To Mr. David Laing, Mr. M. F. Conolly, and others who have rendered most essential assistance, the editor's best acknowledgments are due.

SNOWDOWN VILLA, LEWISHAM, S.E.

*Feb.*, 1872.

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## MEMOIR.

SIR JOHN SCOT was descended from the House of Buccleuch ; by using a single "t" he preserved the original orthography of his family name. His progenitor, David Scot of Allanhaugh, represented the eleventh generation of the Scots of Buccleuch in the direct male line. David Scot of Allanhaugh obtained a charter of the lands of Whitchester in 1483 ; he died about 1530, leaving three sons, Robert, Alexander, and James. James, the youngest, entered the Church, and became Provost of Corstorphine. A man of high integrity and honour, he gave proof of his generosity by erecting a manse at Corstorphine for the use of his successors. He was elected Clerk to the Treasury, and an ordinary Lord of Session on the spiritual side of that court. He died in 1563.\* Sir Alexander, second son of David Scot, was in 1534 appointed Vice-Register of Scotland. He died in 1540. His eldest son, Robert, studied law, acquired eminence in his profession, and was chosen a Clerk of Session. As eldest Clerk of Session he was, on the death of James Macgill in 1579, entitled to succeed him as Clerk Register. He declined the appointment, which was accepted by Alexander Hay, Clerk of the Privy Council, who in Scot's favour afterwards resigned the directorship of the Chancery.†

Robert Scot was appointed Clerk of Parliament and Director of the Chancery by a writ under the great seal, dated 17th October, 1579. He acquired the lands of Knightspottie in Perthshire, and married, first, Elizabeth Sandilands, a daughter of the house of Calder, who died without surviving issue ; and secondly, Elizabeth, widow of John Scott, of Orchardfield, maltman, West Port, Edinburgh, and mother by her first husband of Sir William Scott of Ardross, Fifeshire.‡ By this marriage Robert Scot became father of two sons and a daughter. The

\* Brunton and Haig's "Senators of the College of Justice," 99.

† "Staggering State" under "Directors of Chancery."

‡ "Inquisitiones Speciales," II. (1554)

daughter married James, only son and heir of Andrew Hop-Pringle, of Smailholm, and Galashiels.\* James, the younger son, was styled of Vogrie. Robert, the eldest, received the directorship of the Chancery on the resignation of his father in 1582; but being in feeble health he resigned the office, in which his father was reinstated. He died in 1588. By his marriage with Margaret, daughter of Alexander Aitcheson, of Gosford, Haddingtonshire (ancestor of the Earls of Gosford), he was father of one son—the subject of this Memoir.

To secure his grandson in the Chancery directorship, Robert Scot of Knightspottie demitted the office, in 1592, to William Scott of Ardross, his wife's second son; receiving from him a bond that he would on the coming of age of the infant John Scot, vacate the post in his favour. Robert Scot died on the 28th March, 1592.†

John Scot was born in 1586. He entered St. Leonard's College, St. Andrews. In the register of that college he subscribes himself, in 1603, "*Johannes Scot cursus sui anno tertio.*" He matriculated on the 20th December, 1602. From St. Andrews he proceeded to one of the continental universities, for the study of classical learning. He was admitted advocate about 1606, and in that year, on the resignation of William Scott of Ardross, he obtained the directorship of the Chancery held by three generations of his house.‡ On the 25th October, 1611, he received a charter to the lands of Overtown, Nethertown, and East Caiplic in Fife; and on the 28th November of the same year, a charter to the lands of Tarvet in the same county. To the latter he prefixed his own family name, and was henceforth known as Scot of Scotstarvet.§ In 1617 he was sworn a member of the Privy Council, and knighted by James VI. He evinced his gratitude by composing a long Latin poem in celebration of the

\* Douglas Baronage, 221-4.

† Robert Scot is by the poet Alexander Montgomery celebrated in the following epitaph:—

"Good Robert Scot, sen thou art gone to God,  
Cheif of our souerane Colledge Justice Clerks,—  
Vho, vhill thou liv'd, for honestie wes od  
As wryt beris witness of thy worthy werks :  
So faithful, formall, and so frank and frie  
Sall nevir vse that office eftir thee."

Montgomery's Poems, edited by David Irving, Edin., 1821, 8vo., p. 243.

‡ Staggering State.

§ Douglas Baronage, 222.

royal visit. It is printed in a tract of forty pages, entitled, "*Hodœporicon in serenissimi et invictissimi Principis Jacobi Sexti é Scotia sua decessum*," Edin., 1619, 4to.

On the accession of Charles I. Sir John recommended himself to the new monarch. On this subject Sir James Balfour writes :—

"*Sr. Johne Scott, Director of the Chancelerey about this same tyme (September, 1626), a bussie man in foule wether, and one quhosse couteousnesse far exceidit his honesty, did exhibit some artickells to his Matie anent the alteratione of tenurs and haldinges, and the omissione of marriages, wich by the king wes recommendit to Sr. Thomas Hope, one of his aduocats, to be put to a trayell, and to prosecut the same to his Maiesties profit and comodity.*"\* Sir John's counsel, thus quaintly described, proved the commencement of that distrust in the king's exercise of the prerogative which ultimately led to his overthrow.

Injudicious as a politician, Sir John was not amenable to the charge of "covetousness ;" he had already proved himself a generous promoter of learning. In 1620 he made a donation of books to the library of St. Leonard's College, St. Andrews, and at the same time granted to the Regents of that institution lands and rents for the endowment of a Professorship of Humanity or Latin. To the history of that endowment we will afterwards refer.

Sir John conducted a wide correspondence, chiefly in the Latin tongue, with learned persons both at home and abroad. In the Advocates Library, a folio volume contains numerous letters and Latin verses, addressed to him by his correspondents. On the first page, this volume is inscribed, "*Ex dono M<sup>ri</sup> Davidis Cunynghame studijs Comitiss de Carnwath præpositi.*" The history of the donor is otherwise unknown. Among Sir John's correspondents whose letters are preserved in the volume, we meet with the names of Arthur Johnston, Caspar Barlaeus,† and Isaac Gruter, the two latter learned Dutchmen, who have celebrated Sir John in Latin verse. There are

\* Balfour's *Annals*, ii., 147.

† Caspar Barlaeus or Van Baarle, a Dutch Latin poet, was born at Antwerp in 1584. He was some time Professor of Logic in the University of Leyden, and afterwards occupied the Chair of Philosophy and Rhetoric in the Athenæum at Amsterdam. His poems, which are numerous and on a great variety of subjects, were first printed at Leyden in 1631. He published other works, also in the Latin tongue.

also letters from William Barlaeus, Peter Goldman, Antony Clemens, William Janson, John Leech, Edinburgh, and John Bleau, the geographer.

Interested in the volumes of a work commenced in Bleau's printing-house in 1608, containing the best specimens of modern Latin poetry on the Continent,\* Sir John resolved to include contemporary Scottish Latin poets in the same series, under the editorship of Arthur Johnston. The undertaking was accomplished in 1637, in two thick duodecimo volumes, with the title, "*Delitiæ Poetarum Scotorum, hujus ævi Illustrium. Amsterdam, apud Iohannem Blaev.*" While this work was in course of preparation, Sir John visited Amsterdam, and there assisted in correcting the proof-sheets, while he formed the acquaintance of the enterprising printer. That acquaintance led to another undertaking, to be noticed in the sequel. The printing of "The Scots Poets" cost "a hundred double pieces," † or £150 sterling, which Sir John wholly defrayed. In the two volumes of the *Delitiæ*, the poets are arranged alphabetically in the order of their names. By Arthur Johnston the work is inscribed to Sir John Scot, in a flattering prose dedication, which is followed by laudatory verses addressed to him by Johnston, Gruter, and Caspar Barlaeus. Johnston has summoned all the Muses to celebrate his patron. Sir John's own Latin verses are described as excelling those of his contemporaries, as the moon excels the stars; but this judgment posterity has not affirmed. Of his nineteen compositions contained in this work, the most ambitious is the "*Hodœporicon*," formerly printed. One poem is dated 1603, being composed when the author was a student at St. Leonard's College. His Latinity is fair, but his poetical merits are more than eclipsed by his acts of munificence.

Sir John was appointed an Extraordinary Lord of Session, in January, 1629, an office in which he was succeeded by Sir John Hamilton, in November, 1630. He was nominated an Ordinary Lord of Session on the 28th July, 1632, ‡ and took his seat as Lord Scotstarvet. A zealous upholder of royalty, he was nevertheless warmly attached to Presbyterianism, and when Charles I. sought to impose Episcopacy,

\* The series, which was completed in 1693, extended to twenty volumes, and included compositions of the best Latin poets in Italy, France, Germany, Hungary, Denmark, and the Low Countries.

† "Staggering State," *postea*.

‡ Brunton & Haig., 280.

he emphatically protested. He disapproved the introduction of the Service Book in 1637, and on the 30th April of the following year attended at his parish church of Ceres,\* and there, with the minister, elders and parishioners, subscribed the Covenant. That document embraced the Confession of Faith of 1580, subscribed by James VI., and which bound all who signed it to defend their religion with their lives. In November, 1638, Sir John renewed his protest against the royal policy by refusing to subscribe "the Confession," or Declaration tendered by the king's Commissioner, and stated his belief that the settlement of religion should be entrusted to the General Assembly. He further affirmed his conviction that the document submitted was not in harmony with the "Confession of King James." In his declinature he was joined by Sir Alexander Gibson (Lord Durie), Sir John Hope (Lord Craighall), and Sir George Erskine, three senators of the court.† It is interesting to find that he was careful to procure an authentic copy of King James's "Confession." That copy is preserved in the Advocates Library, with the following indorsation:—"Covenant subscribed by King James of worthie memorie and his household, 28th Ja<sup>ry</sup>, 1580. Sent from Somer, in France, be Monseur [the name illegible] to my Lord Scottistarvett, in August, 1641."

In 1640 Sir John was placed on the Committee of Estates for defence of country.‡ On the 30th July, 1641, he was, along with the Lords Craighall and Durie, ordered to attend the parliament then sitting.§ On the 13th November of that year, when a new commission to the Court of Session was granted, with the sanction of the Estates, he was re-appointed a judge, *ad vitam aut culpam*.|| During the same year he appeared at the bar of the General Assembly, as appellant from a judgment of the Synod of Fife. To the church living of Kilrenny, in Fife, he had secured the appointment of Mr. Mungo Law, one of the ministers of Dysart, and the translation being disapproved by the Presbytery of St. Andrews and the Synod of Fife, he resolved to debate the case in the Assembly. In a letter to his relative, the Rev. William Spang, minister at Campvere, Principal Baillie alludes to the discussion in these words:—

\* Kirksession Records of Ceres.

† Balfour's Annals, II., 293-5. ‡ Baillie's Letters and Journals, I., 309.

§ Balfour's Annals, III., 26. || Acts Parl. v., 466.

"Tuesday, the 3rd of August, was taken up with a very captious question of your good friend, Sir John Scot. He had promised to Mr. Mungo Law, second minister at Dysart, in the Presbytery of Kirkcaldy, a presentation to the kirk at Kilrennie, in the Presbytery of St. Andrews. The Presbytery of St. Andrews were not very curious to crave his transportation; Sir John, in the Provincial Synod of Fife, urges it. In the voicing, not only the whole Presbytery of Kirkcaldy gets voices, but some burrow two ruling elders get voices. Upon this, and some other informalities, Sir John appealed to the General Assembly. By strong solicitation and by a world of merry tales in the face of the Assembly, he gets a sentence for his appellation, to the great indignation of the Synod of Fife, and the Moderator's malcontentment. Sir John held him with that advantage, and durst not pursue his main point, anent the minister's transportation, which made many take him for a wrangler, who sought more the Synod's disgrace than other contentment."\*

Mr. Law, Sir John's *protégé*, remained at Dysart till 1644, when he was translated to Greyfriars' Church, Edinburgh.†

With a real and substantial grievance Sir John appeared some years afterwards at the bar of the Assembly. His endowment of a Humanity Chair in St. Leonard's College, St. Andrews, gave great offence to the Regents of St. Salvator's College in the same city, who having no instructor in Roman literature, determined that their more favoured neighbours should not possess their privilege alone.‡ They maintained that the classic learning of St. Leonard's was usurping the domain of philosophy, and so emptying their halls. With a view to the adjusting of differences, and the general reform of the University, the Estates of Parliament, and the General Assembly nominated a joint Commission. Of this body, the Marquis of Argyle, Chancellor of the University, was President, and among the clerical members was the celebrated Alexander Henderson. The complaint of the Regents of St. Salvator and the defence of Sir John Scot occupied the attention of the Commissioners at a meeting held at St. Andrews, on the 10th August, 1642. On this occasion the Commissioners pronounced the following judgment:—

"The Commissioners, considering the Desires and Papers given in

\* Baillie's Letters and Journals, I. 399. † Dr. Scott's "Fasti," II., 537.

‡ Report, University Commissioners, 1837, pp. 207—211.

by Sir John Scot of Scots Tarvit, concerning the School of Humanity in St. Leonard's College, and being desirous to cherish every motion that may conduce for advancement of learning and good of the University, but unwilling to settle an inequality in the number of the classes of students betwixt the two Colleges of Philosophie, lest the increase of the one should be a diminution and tend to the ruine of the others, which were a great prejudice to the University in whole:— They do desire the Marquis of Argyle to represent to my Lord Scots-Tarvit their counsel and resolution, beyond which they could not go to this sense, that they think fit that there be a publick Professor of Humanity in St. Leonard's College, to profess publickly either within that college, or within any other publick place where it should be found expedient, that the Professors of the Old College shall have their leassounes: that this Professor of Humanity shall have for his maintenance an equal portion with the Regents of Philosophie in the new augmentation; that he be called Professor of Humanity; that he teach no scholars in private neither in school nor chamber, because it is intendit the number of the classes in the two colleges be equall, and that by reason of his profession, which is posterior to philosophie, the four Regents of Philosophie have precedencie before him."

Thus the Commissioners attempted a compromise. The new Professor of Humanity was to occupy a rank inferior only to the old Regents of Philosophy, and was equally to share with them in the college revenues. He was to abandon private teaching of every kind, and to impart his prelections in public for the benefit of gownsmen of both colleges. This decision, which was probably acceptable to the Regents of St. Salvator was proportionally obnoxious to those of St. Leonard and induced them to renounce the endowment. Sir John Scot craved the aid of the Commission. His complaint and the decision thereanent are set forth in the following minute:—

"21st March, 1643. The whilk day the Commissioners sitting in full number—the Supplication underwritten was presented whereof the tenor follows: 'To my Lords Commissioners appointed by the late Parliat and Generall Assemblie to visit the University, unto your Lo: humbly means and shews Sir John Scot of Scotstarvet, Knight, and one of the Senators of the College of Justice—That whereas out of my love and affection to the advancement of learning I have mortfiet to the College of S<sup>t</sup> L's [Leonard's] certain lands



rents and books, to the avail of 8000 merks for the use of a Regent of Humanity in the said College, upon special conditions, contained in a contract betwixt them and me; and in case of failie of performance of the heads of said contract, the hale sums, lands and books to return to me. And now they finding themselves not able to perform the samen, have subscribed an renunciation, whereof I am yet unwilling to make use of if your Lo's shall be pleased to find out any means how I may have satisfaction; and since inequality of the classes in the Philosophie Colleges is pretendit to be the main hindrance, that your Lo's will think upon some way how that may be remedied. Therefore intreat your Lo's to take this to your Lo's consideration and not to suffer so good and charitable a work to perish this way, at the least to be transported to another University, and your Lo's answer.'—Whilk Supplication being read, seen, and considered, and the said Commissioners being therewith well advised, and still desirous to give my Lord Scotstarvet satisfaction in swa far as may not be prejudicial to the University in whole, they have ordained, and be these presents ordain, in addition to their former act, date 10th August, 1642, this offer to be made, that the Master of Humanity in St. Leonard's shall have libertie to take up ane School and teach Scholars in such an indifferent place within the City of St Andrews as the *Senatus Academicus* shall think fit and expedient, providing always that the said Master shall teach no Grammar to his Scholars, and ordained an act to be made hereupon."

The revised ordinance of the Commissioners, though conferring an additional immunity on the Professor of Humanity, rendered nugatory our author's intention in identifying his benefaction with St. Leonard's College. Besides, the Principal and Regents of St. Leonard's, though desirous of retaining the services of a Professor of Humanity, had not obtempered the recommendation of the Commissioners, in allowing the new professor to share in the benefits of the recent grant. Under these circumstances Sir John was justified in recalling his benefaction, and in repossessing himself of his endowment; but still desirous of establishing the chair, he renewed his offer of endowment to the General Assembly. The first portion of the Assembly's Minute on the case is subjoined:—

"Edinburgh, 3d June, 1644. The which day Sir Johne Scot of Scotstarvet, producing the Petition underwritten, together with two Acts

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of the Commission for Visitation of the Universitie of St. Andrews, the tenour of all which follows: 'Reverend Moderator and remanent Brethren of this General Assembly. Unto your W. shows, I Sir Johne Scot of Scottistarvet, Knight, Director of his Majesties Chancellarie—that when I being moved in the year of God 1620 for the love and favour I did carry to St. Leonard's College in St. Andrews, where I and my umquhile father were educat in Philosophie, to mortifie, for the use of a Regent in Humanitie there, in books land and annual rent, to the avail of 8000 merkis or thereby, which mortification took effect by establishing of umquhile Mr. Alexander Scot and after his decease, of Mr. Robert Norie, present Regent and Professor of Humanitie there, lyke as the said Principall and Regents were in a mutual compact past betwixt them and me, obliged that the said Regent of Humanity should enjoy and be capable of all liberties, privileges and dignities of the Universitie of St. Andrews, and that in an equal degree with themselves: which contract also contained a clause irritant, that if they fail in any point to me, then the mortified lands, books, and annual rent should return back to me as if the same had never been dispensed nor mortified; notwithstanding whereof, at his Majesties last being in this kingdome when he was pleased to bestowe the Priorie of St. Andrews upon the Principals and Regents of the said Universitie, for their better maintenance, the Principal of the said College of St. Leonard's and remanent Com<sup>rs</sup> of the Universitie, pretermittit the said Regent of Humanity in giving up their old Rents, whereby no portion was allotted to him of his Majesty's beneficence, but he altogether by that means secluded therefrom. Lykeas by sentence of the Visitors of the Universitie of St. Andrews, the said Regent was discharged to exercise his function within the said College, and so to have made void that mortification, to the great prejudice of learning, which did move me to raise Summonds of Declarature before the Lords of Councell and Session against them, and thereupon hes obtained sentence, and evicted from them the whole foresaid rent; yet since syne I being informed by the Principal and Regents of the said College of the great ruine and decay which hath followed upon the said College and learning therein through the removing and silencing of the said Regent of Humanity, and being yet unwilling to convert my said donation to any other pious use in any other University nor in the said College of St. Leonard's if the intention of my mortification were duly observed,

Therefore I humbly beseech your W., seriously to consider of the premisses, and of the aforesaid mortification, made in anno 1620, ratified in Parliament anno 1621. Lykeas his Majestie in the act of his first Parliament discharges the inverting of all pious donations, and therefore to give the judgment of the Assembly anent the expedience and necessitie of the said Regent, and his exercise within the said College for the weale thereof, and for the advancement of learning, to be a seminarie of youth to the church and state within this kingdom, declaring what was the intention of the Assembly in anno 1641 in suiting the Commission of Parliament to visit the University; and also to recommend to some of your members to interceid with the ensuing parliament for obtaining their declaration thereanent, and that an Act of Parliament may be obtained for re-establishing the said Regent within the said Colledge in his just integritie, and he to be made participant of his Majestie's munificence with the rest, conform to a particular gift granted be her Majestie under the great seal to him thereanent, whereby others may be encouraged to doe the like in time coming, and your, W<sup>ts</sup>. answer."

With Sir John's wishes the General Assembly complied, and ten days thereafter, viz., on the 13th June, 1644, an Act was passed by the Estates, ratifying the deliverance of the Church, and constituting "a Regent and Professor of Humanity to St. Leonard's College."\* This triumph, complete as it was, did not wholly terminate our author's troubles in connexion with St. Leonard's College; for in 1649 Mr. Patrick Robertson, schoolmaster of St. Andrews, complained to the Commission of the General Assembly that he had received "palpable wrong" from the "Regent of Humanity" at St. Leonard's, he having taught "not only all the parts of grammar, but also the very rudiments and elements." The Commission consulted with Sir John, and on his approval ordained that the Regent should abandon his prelections in grammar, under the forfeiture of one hundred marks for each offence, one-half of which sum should be paid to the schoolmaster.† The first occupant of the chair, Mr. Alexander Scot, was probably a relative of the founder. He died prior to June, 1644, when his decease is referred to, and Mr. Robert Norie is named as Professor. In 1747 the colleges of St. Leonard and St. Salvator

\* Balfour's Annals, iii., 185.

† Report, University Commissioners, 1837, pp. 207—211.

were united by Act of Parliament. Among the Professorships which the Act secured to the United College, that of Humanity was included, the right of nominating to the chair being reserved to the representative of its founder.

In February, 1645, Sir John was appointed one of the Commissioners of Exchequer; but his various and accumulating public duties did not overcome his literary ardour. Interesting himself in the Great Atlas published by Mr. Bleau, he desired that Scotland should be represented in that work. A geographical survey of Scotland was in 1608 commenced by the Rev. Timothy Pont;\* latterly the undertaking was carried forward under Sir John Scot's pecuniary support.† When Mr. Pont died, prior to 1630, his drawings and MSS. fell into the hands of his relatives, who were not careful to preserve them from moths.‡ At length our author succeeded in procuring them, and he transmitted them to Mr. Bleau with the request that they might be arranged and printed at his expense. On examining the maps Mr. Bleau found that many of them were incomplete, and that descriptions were wanting, indispensable to their forming part of his great work. The drawings being returned to him, Sir John submitted his proposals to Charles I., who readily afforded his royal countenance to an undertaking which was to cost him nothing and might bring credit to his crown. On Sir John's recommendation his Majesty appointed Robert Gordon of Straloch, the ingenious antiquary, to complete the maps and prepare the necessary descriptions. The royal letter to the Laird of Straloch proceeds:—

“To our trustie and weill beloved The Laird of Straloch,

\* Timothy Pont was younger son of the celebrated Mr. Robert Pont, minister of St. Cuthbert's, and one of the Lords of Session. He studied at St. Leonard's College, St. Andrews, and passed M.A. about 1583. He was ordained minister of Dunnet, Orkney, in 1601, and received from his father the lands of Strathmartin, in Forfarshire. In 1609 he obtained a grant of 2,000 acres in the province of Ulster. An expert mathematician and geographer, he entered on his Scottish survey with extraordinary ardour, penetrating on foot into the wildest solitudes. The originals of his maps are preserved in the Advocates Library. His only publication was a Topographical Account of Cunningham, Ayrshire, which was edited for the Maitland Club in 1858.

† “Miscellany of the Spalding Club,” i., Preface, 37.

‡ Dr. Scott's “Fasti,” iii., 360.

"CHARLES R.

"Trustie and weill beloved We greitt you weill haveing laitly sein certane cairtts of divers schyres of this our ancient kingdome sent heir from Amsterdam to be correctit and helpeitt in the defectis thairof. And being informed of your sufficiencie in that airtt And of your love bothe to Learneing and to the creditt of your natione We have thairfoir thought fitt heirby earnestly to intreitt you to taik so mutche paines as to revies the saidis cairtts and to helpe thame in sutche thingis as you find deficient thairintill, that they may be sent back by the directour of our chancellarie to Holland, Quhilk as the samyne will be honorabill for your selff So schall it do us guid and acceptable service. And if occasioun present we schall not be vnmyndfull thairoff. From our paleice of Halyruidhous the aucht day of October 1641."

Straloch undertook the task, and with the assistance of his son, the accomplished James Gordon, Pastor of Rothiemay, David Buchanan \* and Sir John Scot himself, brought the work to a completion. In 1645 the first portion of the maps was transmitted to Mr. Bleau, and the autumn of that year found our author on his second visit to the Low Countries. † The following letter addressed by him to the Laird of Straloch expresses his deep concern at the supposed loss of Mr. James Gordon's map of Fifeshire.

"To the Richt honorable, my much respected freind The Laird of Straloch Thais

"Richt honorable

"Being resolved to sie my freinds in the Low Cuntries in this idill tyme for lerning the first rancounter I had at Campheir was that thair I hard that a dunkirker ship had takin your sones cart of fyffe from one of our shippis of Leath callit James Gibson & then instantly I moved one of our cuntry men Mr Trotter to wryt to sum of his friends at ostend quhair the captane then was to persuaid him to send it bak to me heir bot it is feared we sall cum no speid thais pepeill ar so malicius agans our cuntrie. You did wysly that caused your sone keep a doubill of it or vtherways all had been gon. I heir

\* Nicolson's "Scot. Hist. Library," 18.

† He spent whole days in Bleau's house, at Amsterdam, writing descriptions of the counties from memory. (Bleau's "Atlas," vi., 86.)

by Samuel Wallace that all the carts that are in Jansens hand ar now printed & hourly expects thais that yea heave to finish the work as also he luiks for such descriptiouns as yea can give him & then the buik will go furth without farder. If yea think meet yea may desyre your sone to draw it ouer agane that it may be ioyned with the rest and if yea will give me any buseines heir I sall stryve to obey thame & testifie evir that I am & sall remain

"Your humble servitour

"Campheir 2 September 1645.

"Scottistarveit" \*

Scotstarvit's visit to the Netherlands was regarded as an affair of state. His voyage to Scotland was undertaken by the government of Zealand, which expressly commissioned a vessel for his use. Such considerate attention to their learned countrymen, the Scottish estates hastened to acknowledge. In his *Annals* Sir James Balfour records under 6th January, 1646: †—

"The parl: wreatts a letter to the estaits and Admirall of Zeeland, of thanks for ther kindnes showin to Sr Jo: Scott, in sending a waighter to vafte him ouer to Scotland from the danger of pyratts, wich letter the estaits ordanes in ther name the president of the parliament to subscribe."

In a letter to Straloch Mr. Samuel Wallace of Campvere reports on the "11th of March 1647, ‡ that the cairte § of Fyfe is for the most pairte performit," and that Mr. Bleau has promised "to take no other work in hand before the illustrations of our kingdome totaliter be performit." Mr. Wallace conveys Mr. Bleau's request, that "he and my Lord Scottistarvit would endeavoire with all possible diligence to assist his porposse be sending vnto hem all quhatsomever can be gotten, aither for supplie, ornament, decore or illustratione thairof." He writes further:—

"And as for my lord scottistarvit I am sure, that nothing in this world wald be of grytter pleasure and contentment vnto hem but that this work before his death might be effectuat, having taken so mutch paines in it, and as your honor vrittes vnto me, onles he holdes the matter in hand, I feare it wald be opprest againe, chyffie in these troublesome seasons; he is now a man kom to grytt aidge, and so is

\* Straloch Papers, 52.

† Balfour's "*Annals*," iii., 351.

‡ Straloch Papers, 54.

§ Map.

your honor witch may move us, as it exhorted us to observe our tyme, that ane famous and honorable worck may be broght to light in our dayes ; your honor will be pleisit to moue his sone, and all others weel affectuat to this worck, to contribuit ther labors and paines for advancement thairof. I hope the Lord will send vs occasione thairof be a more paceable and setled tyme, seing his maiestie is now kom to holmbye, weel affectuat to agreement with the parliament of Ingland, and they willing thanckfullie to accep thairof and to promote hem to his Royall dignities ; the Lord give them grace to remove all dissentiones." In a postscript, Mr. Wallace adds :—" Eftir I writt this, I receivit a letter from my lord scottishtarvet shawes me, that the provost of edenburgh hes send for your sone to drawe the towne of edenburgh, and is to be employed by the nobilite of Angus to deschryve that shyre ; and so I hope he will be advancit be others to grytter worck, if god sendis pace, as be appearance it will be."

Under the title of "*Geographiæ Blaeviae Volvmen Sextum*," the Scottish Atlas was published at Amsterdam in 1654 in an elegant folio.\* The copyright in Britain was secured to Mr. Bleau under the authority of Cromwell.† To Sir John Scot as chief promoter of the undertaking for a period of thirty years, the work was appropriately inscribed, both by the editor and publisher. In an "Address to the Reader," Mr. Bleau writes :—"Opus hoc si nobilissimo ac magnifico viro Ioanni Scoto Scoto-Tarvatio, impu-taveris, suam prolem reddes suo patri." Then follows his "Epistle Dedicatory," in which we find these words :—"Ad Ioannem Scotvm, Scoto-Tarvativm vel tibi Scote suum tradebat Scotia nomen, sumebat nomen vel sibi Scote tuum."

Straloch's dedication commences "*Amplissimo et magnificentissimo viro Ioanni Scoto*;" it is eulogistic throughout. Dated, "9 Cal Februar 1648;" it had, as the following letter from our author will show, been privately submitted for his approval.‡

\* Preceding the maps are nineteen discourses relating to the history and general condition of the kingdom, including a long descriptive poem by Andrew Melvill, entitled "*Andreae Melvini Scotiæ Topographia*."

† According to Nicolson, Bleau dedicated the edition of 1655 to Cromwell, and in the same abused Straloch, omitting several of his best descriptions, particularly those of Aberdeenshire and Banff (Nicolson's "*Scot. Hist. Lib.*," p. 18).

‡ Straloch Papers, 53.

"To The right honorable my noble freind The laird of Straloch  
These,

"Right honorable

"I accnaulage that I am not able to render yow thanks for this last fauour that it hath pleased yow to bestoue upon me in wreating that epistle dedicatorie sent hither to me in your last letters yet yow shall not find me wnthankfull if euer it fall in my reach to doe yow or any of yours seruice in thir quarters where I liue. I am with the first occasione to send it to Campher be the meanes of Samuel Wallace to be sent to Amsterdame and referrs it to his discretion to insert it or not insert it at his pleasure, seeing I suspect it will be displeasent to the great men to whom the seuerall mapps ar dedicated, that any epistle of that kynd should be prefixed to such a worke, bearing the nam of such a mean man as I am. \*

"The Earle of Southeask hath intention to send for Mr James [Gordon] in the spring to draue the shyre of Angus and aught in reason so to doe seeing he lost Mr Timothies mapp† and I hope ye will be a councellor of him to come that the work may be the soner perfected and brought to a wished end, and not be left defectiue in the want of so good a shyre. As concerning that, that ye can not find the genologie of houses, aduertish me what ye want and I shall endeuore to furnish yow for I haue besyd me a not of all charters from King Robert Bruce dayes to this present, wherby I may give yow satisfaction in that poynt I pray yow send me what descriptiones ye haue ready till then and alwayes I shall continowe

"Your humble servitour

"Edinburgh 2 February 1648.

"Scottistarveit."

In his description of Fifeshire, Straloch is thus particular in recording Sir John's munificence to St. Leonard's College :—

"In hoc ornando singularis enituit munificentia nobilissimi ingeniorum fautoris D Iohannis Scoti, Scoto-Tarvatii, Equitis aurati, quum prioribus professionibus philosophicis novam super-addiderit humaniorum literarum seu eloquentiæ, stipendio liberali

\* Nearly all the maps in Bleau's Atlas are inscribed to leading noblemen, whose armorial escutcheons are elegantly emblazoned on them.

† The Earl of Southesk had not fulfilled his intention, for the map of Angus (Forfarshire) does not appear in Bleau's Atlas.



collato, quod perpetuum esse voluit: cujus etiam liberalitate ingens incrementum experta est Collegii publica Bibliotheca."

In completing the Scottish Atlas, Straloch received the protection of the civil and military authorities—being exempted by them from public imposts. The following documents refer to this immunity.\*

"Exemption gevin be the parleament 28 *Januar* 1646

"My lords of parliament unto your lordships humblie means and shows I your lordships servitor Mr. Robert Gordoune of Straloch that quhair in consideratione of my pains and travill in reviseinge and correcting thee cartts of this kingdome it pleasit your lordships to exeem mee from the ordinaire burdens of the rest of thee subjectis in Scotland to thee end I might thee better attend thairupone and bee encouraged therby to len my best asistance for the perfectione of soe honorable a worke whilke albeit I have cairfullie gone about hitherto and ame radie to give a prove thair of to thos who hes the doinge of the worke of this kingdome yitt my former warrand is misregarded by the present commanders and I daylie taxed in a heave manner wherby I will be discouraged and dissinabled from prosecuting thee intendit worke except your lordships provyde remead Hearfor I beseache your lordships to take consideratione of the premisses and to cause renew my saids warrand and exemptione in suche a mainer that it may bee valable for mee to free mee frome other warrands of comandars who hes slighted your former commands whiche will encourage mee more and more to folowe out thee intendit worke and to be radie at all occasions to obey your lordships commandiment and your lordships answeare humblie I crave."

"St Andrews 28 *January* 1646

"The Comittee of despatches haveing considered the supplication abovewrittin do vpon the grounds therein mentioned renew all former acts and warrants past in the supplicants favors And ordaines all officers and sopers punctually to observe the samyn as they will be answerable vpon thair heyst perells

"JA PRYMEROSE."

"At Aberdein the second day of *March* 1646.

"The quhilk day the seuerall actis and warrands respectiue aboue-

\* Straloch Papers, 56—7.



written were productit befor the Committee of warr for the shyre of Aberdeen and being sein and considered be theme, they acknowledge the same and does recommend the foirsaides warrands to Colonell Robert Montgomerie comander in chefe

“MR THO: MERSEER”

In obtaining ecclesiastical support Straloch and his patron were less fortunate. Sir John presented “a supplication” to the General Assembly, entreating that certain ministers in each province might be appointed to furnish descriptions of their several districts, and the application was approved and appointments made. But few of the clergy responded, and the materials obtained from those who did were very inconsiderable. In applying for statistics to the parochial clergy, Sir John Scot, it may be remarked, became pioneer of a national work, the “Statistical Account of Scotland,” which a century and a half afterwards was carried out under the auspices of Sir John Sinclair.

Having discharged the heavy costs of engraving the Scottish maps, Sir John devised another outlet for his munificence. Claiming descent from the West of Scotland \* he resolved to bestow a benefaction on the city of Glasgow as the western capital. In that city a fire † had deprived a thousand families of their homes, and a collection on behalf of the sufferers had been made throughout the kingdom. This event ‡ confirmed Sir John’s intention of making a permanent endowment in the city. He conveyed to the magistrates and council the lands of Peckie, § in the parish of St. Leonard’s and

\* Sir John’s connexion with the West of Scotland was, it is believed, through his maternal grandmother.

† The fire took place on the 17th June, 1652. About eighty alleys were destroyed, and the corporation apprehended that, without foreign help, the city would be ruined.—Dr. Strang’s Bursaries, &c., of Glasgow, 71—74.

‡ In his bequest, addressed to the magistrates and town council of Glasgow, dated 7th and 13th June, 1653, and in a second contract, dated 28th April, 1658, Sir John refers to “the love he had for the city, being the finest city of the west, out of which country he descended, and in consideration of the calamity of the inhabitants through fire.”—Dr. Strang’s Bursaries.

§ The farm of Peckie, or Peckie Mill, is situated about four miles south-east of St. Andrews, and lies between the estate of Kenly Green and the lands of Kenly, the latter belonging to St. Salvator’s College, St. Andrews. It consists of about 104 acres, chiefly arable.

county of Fife, for the purpose of "putting poor boys to apprenticeships to any lawful honest trade or calling," the magistrates binding themselves to admit them as burgesses, free of charge. At first, four boys were maintained as apprentices, three being presented by the donor and his successors, and one by the corporation. By Act of Council, 5th April, 1781, an agreement was made between David Scott, of Scotstarvet, by which it was provided, that when the lands should yield a yearly rent of Thirty Pounds, Mr. Scott should have the right to present four boys, and the Council two.

Owing to altered circumstances, the teaching of apprentices by paying fees to masters became unnecessary, and in 1797 the corporation and Sir John's representatives agreed, that in lieu of apprentice fees, twelve boys should be placed for education in one of the local seminaries. The proceeds of the lands of Peckie, amounting at present to £126 a year, are paid annually by the town council of Glasgow to the managers of Wilson's school for the education of twelve youths, who are styled Scotstarvet's boys.\*

In 1648 and 1649 Sir John served on the Committee of War. Though keenly opposed to the ecclesiastical policy of Charles I., he was attached to the monarchy. Considerably after the commencement of the Civil War, his brother-in-law, William Drummond of Hawthornden, composed at Scotstarvet† his *History of Scotland* and his numerous tracts in favour of royalty. In an address to the noblemen, barons, and gentlemen of Scotland, written in 1639, Drummond predicted that during the impending troubles there might probably arise one who "would name himself PROTECTOR of the liberty of the kingdom, but who would surcharge greater miseries than those of the past, and who, though calling himself Protector of the Church, should be without learning, and under the pretence of zeal and piety, commit a thousand iniquities and bring all into confusion." A prediction of this sort was not likely to escape the vigilant eye of Cromwell, who, seeing that its author had passed away,‡ was the more likely to associate with its utterance the individual from whose

\* We are indebted to the City Chamberlain of Glasgow for an account of the present condition of the charity.

† Sage's "Life of Drummond."

‡ William Drummond of Hawthornden, died 4th December, 1649. He experienced a severe shock on the execution of Charles I., from which he did not recover.

residence it had emanated. Sir John was deprived of his offices, and fined £1500 sterling.

Under his wrongs, Sir John complained frequently. At length a prospect of redress was opened up by his securing the influence of General Monk. The following letter from the General to Secretary Thurloe, dated "Dalkeith, 1st October, 1658," will explain the position of affairs at that period.\*

"My Lord,—S<sup>r</sup>. John Scott of Scottis-Tarvutt, having guift from the late king under the great seale, for the place of director of the chancery in Scotland for life, and the said place being disposed of by the Comissioners from the Parliament in the year 1651, hee made fower severall addresses to his late highness, at the last wherof it was found by the Comissioners of the great seale, Sir Thomas Widdrington, the lord Montague the lord Whitlock and Col. Sydenham, to whom his Highness referred the cognition thereof, that they found no cause why hee should have bin displaced out of that office, the same being only ministeriall. But upon his last petition, seeking to be restored, his highnes would give no determined answer till hee had advised with his councill, the cause whereof was because he had given a guift of the same before to one Alexander Jaffray (not having understood of Sir John Scott his right thereto) and now Mr Jaffray being very siche, S<sup>r</sup>. John and myself make itt our request unto you that your lordshippe will be pleased to stand his friend to his highnesse, that in case Mr Jaffray should dye, his highnesse will not dispose of the said place of director of the Chancery, till he hath heard S<sup>r</sup>. John Scott speake for himselfe. I crave your Lordshipp's pardon for guieving you this trouble, and remain

Your Lordshippes most humble servant

GEORGE MONCK."

The answer to General Monk's letter has not been preserved. Alexander Jaffray had on the recommendation of Cromwell's judges been constituted Director of the Chancery in March, 1652, with a salary of £200 sterling. At the same time he received £1,500 sterling (precisely the amount of the penalty inflicted on his predecessor) as a portion of the debt incurred by him in waiting as one of the Scottish commissioners on Charles II. in Holland in 1650. He

\* Thurloe's "State Papers," vii., 421.

had been Chief Magistrate of Aberdeen, and representative of that city in the Scottish Parliament. He subsequently became a member of Cromwell's Parliament. He died on the 5th May, 1673. Some years before his death he became a zealous member of the Society of Friends.\*

While Sir John was a severe sufferer under the Commonwealth, it is interesting to remark that the Poems of his brother-in-law, the upholder of kings, were during that period first printed in a collected form by Edward Phillips, nephew of the poet Milton, the Protector's Latin Secretary.† The volume is accompanied by a Latin dedication to our author, whose merits are set forth both in prose and verse.

The Restoration, propitious to so many friends of General Monk, was the precursor of fresh troubles to the Laird of Scotstarvet. The directorship of the Chancery was bestowed on Sir William Ker, who, as Sir John remarked, "danced him out of office, being a dextrous dancer." He was besides mulct‡ in a considerable penalty as a supposed supporter of the old regime. In the Act containing exceptions from the Act of Indemnity, passed in 1662, he is fined "six thousand pundis," or £500 sterling.§ Disheartened by this cruel treatment, which he ascribed to "the power and malice of his enemies,"|| he returned to Scotstarvet,¶ there, in the congenial intercourse of learned friends, to close his eventful life.

According to Nisbet, men of learning came to him from all quarters, "so that his house became a kind of college."\*\* At Scotstarvet he composed his "Staggering State," a work which was not published by himself or any of his representatives, and which it is likely he did not intend for indiscriminate perusal. He died at Scotstarvet in 1670 at the age of eighty-four.†† His remains were, it is supposed, interred in the parish church of Kinghorn, where he possessed a right of sepulture.‡‡ His will was, on the 11th

\* Diary and Memoir of Alexander Jaffray, by John Barclay, London, 1733, 8vo., *passim*.

† The volume is entitled, "The Poems of that most famous wit, Mr. William Drummond, of Hawthornden," 1656. 8vo.

‡ Brunton and Haig, 281.

§ Act Parl. vii., 421.

|| "Staggering State."

¶ Situated in the parish of Ceres, Fifeshire.

\*\* Nisbet's "Heraldry," ii., 293.

†† Douglas's Baronage, 222.

‡‡ On the 17th May, 1642, the Kirksession of Kinghorn assigned "to Sir Jhone Scott of Scotstarvet, and his wyfe and children for sepulture in the south-east

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February, 1671, confirmed at Edinburgh to Walter Scott of Lethan, his third son, the eldest then living. Sir John had disposed of his heritable property during his life, and he made no bequests. In "an eik" or codicil is mentioned a bond to William Dick, merchant, Edinburgh, bearing date 28th April, 1621, which contained an assignation granted by Mr. Dick, in favour of Sir J. Scot for £1000 Scots, and which with interest amounted to £4695 Scots. The cautioners to this bond were Capt. William Scott, Walter, Earl of Buccleuch, Lord Scott of Whitchester, and John Scott of Sintoun.\*

Sir John was three times married. His first wife was Anne, daughter of Sir John Drummond of Hawthornden, by his wife, Anne, daughter of Robert Lord Elphinstone; she bore him two sons and seven daughters. Secondly, he married Margaret, daughter of Sir James Melvill of Hallhill, by whom he had one son. His third wife was Margaret, daughter of H. Monypenny of Pitmilly, and relict of Rigg of Artherny; she bore him one son. Sir John's eldest son, James, became conjunct Director of Chancery, and was knighted by Charles I. He predeceased his father in 1650, and was succeeded by his elder son, James, born August 1644, and who, dying without issue in 1668, was succeeded by his only brother David. On the 3rd November 1668, David Scott,† was served heir male to his brother in "the lands of Tarvitt," and "the lands of Caiplie, Thirdpart, and Wester Pitcorthie," "in the parish of Kilrenny, "all united in the barony of Scotstarvitt."

Prudent and conversant with rural affairs, David Scott largely improved the family estates. He married first, Nicolas, eldest daughter of Sir John Grierson of Lag, by whom he had one daughter Marjery, who became wife of David, fifth Lord Stormount. He

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part of the church, extending in length sixteen foot from the east end westward, and fifteen foot of breadth from the south wall to the partition wall of the quier." Sir John was proprietor of Pitmeadie, in Kinghorn parish, and had claimed a right of interment in the church (Kirk Session Records of Kinghorn).

\* William Dick, a wealthy Edinburgh merchant, and Lord Provost of the city, was in January, 1642, created a baronet of Nova Scotia. He gave large loans to Charles I., and afterwards to escape annoyance gave £64,934 sterling to the Parliament. He was thrown into prison by Cromwell, and died at Westminster, 19th December, 1655, in a condition of poverty.

† "Inquisitiones Speciales," Fife, 1046.

married, secondly, Elizabeth, daughter of John Ellies of Ellieston, by whom he had a son, David, his heir, and two daughters, Marjery and Elizabeth. Marjery Scot married Peter Ogilvy of Balfour, and her sister Elizabeth became wife of Alexander, Earl of Balcarres. David Scott of Scotstarvet died in 1718 in his 73rd year.\*

John Scot, second son of our author, received from his father a grant of half the lands of Gibleston, in the parish of Carnbee, in which, on his death in 1657, he was succeeded by his son George.†

Additional births in our author's family are in his family Bible,‡ recorded thus :—

"George Scott, sone to Sr. Johne Scott, of Scottstarvitt, who borne in Pittodie the 19th of Aprill, 1643.

"Walter Scott, sone to Sir John Scott, of Scottistervett, was borne in Edinburgh the 7 of January, 1649.

"Le Sr. Jacques Scot de Tarvet a et son fils nomine Jacques que fut batizè en Angus le 1 Sep. 1664."

David Scott, of Scotstarvet, who died in 1718, was succeeded by his son David, an advocate at the Scottish Bar, and M.P. for Fifeshire. He married Lucy, daughter of Sir Robert Gordon, of Gordonston, baronet, by whom he had two sons and two daughters. Elizabeth, the elder daughter, married Peter Hay, of Leys; Lucy, the younger, died unmarried.

David Scott, the elder son, succeeded his father, and John, the younger, joined the army, in which he attained the rank of Major-

\* Douglas's Baronage, 224.

† "Inquisitiones Speciales," Fife, 867.

‡ A Bible which belonged to Sir John Scot, and in which the births of certain members of the family are recorded, has, though in the hands of strangers, been carefully preserved. It is a thick folio, with the text in French and Latin, bearing the title, "Latino-gallica la Bible Francoise-latine, 1568." At the back of the title-page is attached a printed book-slip with these words :—"Mr. Iohn Scot, Director our Souveraigne Lords Chancellerie," and on the last blank page of the volume are the entries quoted above with those following :—

"Sir James Scott, of Tarvett, had a sone baptised, named James, in Angus, in the parish of Enderkillour, the beginning of Sept. 1644.

"William Scott, sone to Mr. George Scott, of Pittodie, was borne the 7 day of Feb. 1666 years."

Sir John's Bible was purchased by Principal Lee at the book sale of Professor Flint, of St. Andrews. At the Principal's own sale it was purchased by Mr. Adam Sim, of Coulter Mains, at whose sale in 1869 it was knocked down for 2s. 6d. to Mr. Levy, Prince's Street, Edinburgh.

General. Having retired from military service he established his residence at Balcomie, parish of Crail, Fifeshire. About 1768 he was elected M.P. for Fife. He espoused first, Lady Mary Hay, eldest daughter of James, thirteenth Earl of Erroll, which marriage was dissolved. He married secondly, Margaret, youngest daughter of Robert Dundas, of Arniston, Lord President of the Court of Session, by Henrietta Baillie, heiress of Lamington; she died in 1795. Major-General Scott died suddenly at Balcomie in December 1775. His remains were interred in the churchyard of Kilrenny, where a magnificent monument, erected by his daughter, the Duchess of Portland, denotes his grave. The monument is uninscribed. General Scott was a noted gambler, and consequent on his success at play, became owner of numerous estates. At the period of his death he was regarded as the wealthiest commoner in Scotland. Her succession is said to have availed his eldest daughter £25,000 a year.

By his second marriage General Scott left three daughters, Henrietta, Lucy, and Joan. By the death of her uncle, David Scott, of Scotstarvet, Henrietta, the eldest, became heir of line to Sir John Scot, of Scotstarvet, and representative of the family. She married, 4th August, 1795, William Henry Cavendish, Marquess of Titchfield, who succeeded his father as fourth Duke of Portland, 30th October, 1809. Henrietta Scott, Duchess of Portland, had four sons, William Henry, Marquess of Titchfield, who died 4th March, 1821, aged twenty-eight; William John Cavendish Scott Bentinck, now Duke of Portland; Lord George Frederick, the distinguished politician, who died unmarried 21st September, 1848; and Lord Henry William. Of the Duchess's four daughters, Charlotte, third daughter, was, 14th July, 1827, married to the Right Honourable John Evelyn Denison, of Ossington, Notts, afterwards Speaker of the House of Commons. The Duchess died 28th April, 1844.

Lucy, second daughter of Major-General Scott, married, 26th February, 1795, Francis Stuart, Lord Doune, who 28th August, 1810, succeeded his father as ninth Earl of Moray; she died 3rd August, 1798, leaving two sons, Francis and John, who were successively tenth and eleventh Earls of Moray. Both died unmarried.

Joan, youngest daughter of General Scott, married, 8th July, 1800, George Canning, the distinguished statesman, on whose death,

8th August, 1827, she was created Viscountess Canning. Her ladyship died 15th March, 1837, and was succeeded in the peerage by her only surviving son, Charles John, Viscount Canning, who as Governor-General of India during the Mutiny acquired distinction; he was raised to the Earldom of Canning 21st May, 1859. Earl Canning died *s. p.* 17th July, 1862, when the family honours became extinct.

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## A SHORT ACCOUNT OF THE OFFICERS OF STATE, AND OTHER GREAT OFFICERS IN SCOTLAND.

BY WALTER GOODAL.

IN all the nations whose governments were framed upon the model of the feudal institutions, or by whom the feudal laws were adopted, as the spirit of these laws contributed much to the aggrandizing the prince, and impressing an awe and veneration of the government ; so no other means were thought to be more effectual for this purpose than the conferring of splendour and dignity upon the prime officers employed by the prince in the execution of his government, which reflected back again with double lustre upon the throne, as the fountain from which these honours and dignities originally flowed. And most of these nations had a very great conformity and resemblance with one another in the names and institutions of these great officers, or Officers of the Crown, as they were called, which were generally seven in number, and ranked in the following order. 1. The High Constable. 2. The High Admiral. 3. The High or Great Chancellor. 4. The Great Justiciar. 5. The Great Chamberlain. 6. The Great Protonotary. 7. The Great Seneschal or Steward.

These several offices appeared first in the greatest splendour in France, after the suppression of the office of *Maire de palais*, into which the execution of almost the whole business of the administration was engrossed. They were afterwards adopted into the government of the Two Sicilies ; and the great offices of Scotland, in our ancient constitution, bore a very great resemblance to those of these nations, both as to their names and powers.

In the time of King Malcolm II. it is presumable there were no more of these great offices extant, but those of the Chancellor, the Justice-General, the Chamberlain, the Steward, the Constable and the Marischal ; for, in his laws, the fees of these are particularly

appointed, and they are ranked in the above order ; and no more are mentioned.

At that time, and long after, these were called Officers of the Crown, as some think, to distinguish them from the other great officers which were called OF THE STATE. However that be, the distinction came at length to be lost, and they were all known indiscriminately as Officers of the State or Officers of the Crown ; and certain privileges came to be annexed to them, particularly, that in all acts or meetings concerning the State they sat as members, by virtue of their office, as in Parliaments, Conventions, &c., and got the title of Lords prefixed to the name of their office. And, in the Act xxxi. Parl. II. James VI., the following are enumerated as Officers of the Crown, viz., the Treasurer, Secretary, Collector, Justice-General, Justice-Clerk, Advocate, Master of Requests, Clerk of Register, Director of the Chancery, and Directory of the Rolls.

Afterwards, in the year 1617, King James, in privy council, declared that in that, and all other parliaments, eight only should sit as Officers of State, and these he ranked as follows: Treasurer, Privy Seal, Secretary, Clerk-Register, King's Advocate, Justice-Clerk, Treasurer-Depute, Master of Requests.

The other great officers, which were omitted among the Officers of State, might still very properly be called Officers of the Crown, as the Chancellor, Constable, Admiral, Chamberlain and Great Justiciar, as these offices still remained, and with pretty extensive powers.

To give a short account of the nature of these several offices, and the others mentioned in the following history, is the design of this introduction ; and we shall begin in the order mentioned in King Malcolm's laws.

#### I.—OF THE CHANCELLOR.

The first office there mentioned is that of Chancellor, which was the second in dignity in France, and was much the same as the *Quæstor* among the Romans. He was chief in matters of justice, as the Constable was in those of war ; *legum Conditor, regalis consilii Particeps, justitiæ Arbiter*.

In England, the Chancellor is principal judge in the high-court of equity, and presides in the House of Peers ; his office is conferred upon him by delivery of the great seal, of which he is keeper *ratione officii*.

In the laws of King Malcolm II. the Chancellor is placed before all the other officers; and from these it appears that he had the principal direction of the Chancery, or Chancellary as it was called, which was his proper office. His constant province was the custody of the king's seal, and he was the king's most intimate counsellor, as appears from an old law cited by Sir James Balfour in his Practicks, p. 15. "The Chancellor sall at all tymes assist the king, in giving him counsall mair secretly nor the rest of the nobilitie, to quhais ordinances all officiaris, als well of the realme as of the kingis hous, sould answer and obey. The Chancellor sall be ludgit neir unto the kingis grace, for keiping of his bodie, and the seill; and that he may be readie baith day and nicht at the kingis command." By having the custody of the great seal, he had an opportunity of examining the king's grants and other deeds, which were to pass under it, and to cancel them if they appeared to be against law, and obtained by subreption or false suggestions; and from this seems to be derived the name *Cancellarius*. There are some instances wherein it appears the Chancellor had not the keeping of the great seal; but these are very rare.

King James VI. ordained the Chancellor to have the first place and rank in the nation, *ratione officii*; by virtue whereof he presided in the parliament and in all courts of judicature. After the restoration of King Charles II. by a particular declaratory law, Parl. 1., the Lord Chancellor was declared, by virtue and right of his office, president in all the meetings of parliament, or other public judicatures of the kingdom. Though this act was made with an intention to declare the Chancellor president of the Exchequer, as well as other courts, yet, in 1663, the king declared the Treasurer to be president of that court, and not the Chancellor.

## II.—OF THE DIRECTOR OF CHANCERY.

The Chancery, from the above-mentioned laws of King Malcolm II., appears to have been no other than the proper office of the Chancellor, the writs there mentioned being such as to this day have a relation to that office: but it appears to have been early taken from under his inspection and put under the inspection of another officer, by the name of the Director of the Chancery. Originally all summonses were issued from this office but now the business there is confined to issuing the precepts, brieves, such as of mortancestry,

furiosity, &c., and the writing out of those writs in a peculiar fixed form, to which the king's great seal is to be appended. The Director of Chancery also adjusts the responde-book, by which the sheriffs account to the Exchequer, for the non-entry, and other duties exigible by them from the heirs of vassals, at their entry to their estates. The keeping of the quarter-seal, or testimony of the great seal, as it is called, is also committed to him; by this seal, precepts of sasine upon charters under the great seal were sealed, and certain other writs.

### III.—OF THE GREAT JUSTICIAR, OR JUSTICE-GENERAL.

This office, in foreign states, was originally next to the High Chancellor, who was called the Magistrate of Magistrates, and Head of all the Officers of Justice; but in process of time, particular justices being appointed for the several provinces, subordinate to the Great Justiciar, and their proceedings subject to his review, he came to be considered as next to the Constable in rank and dignity, and all causes, civil as well as criminal, became competent to him, high treason not excepted.

In Scotland the Great Justiciar, or Justice-General, was placed next the Chancellor, *L. Reg. Malc.*, and his court was originally the only sovereign court of the nation, and had a great part of that jurisdiction which the Session hath now: and, even after the erection of the Court of Session, several civil causes came before it, *Reg. Maj. l. 1, c. 5*, and *l. 2, c. 74*. But at length his jurisdiction came to be restricted to criminal causes only, by several statutes, by which he had power to name his own deputes.

In the year 1671 the Court of Justiciary was constituted, as it now stands, by a commission under the great seal, afterwards ratified by the regulations 1672, whereby it is made to consist of the Justice-General, who is constant president, the Justice-Clerk, and five of the ordinary Lords of Session, and they declared to be the supreme ordinary judges in criminals.

After King Malcolm's times, Scotland was divided into two justiciaries, one upon the south side of Forth, who was called *Justitiarius Lothianie*, and in old charters *Judex Laudonia*, and the other on the north side of Forth.

This office was anciently possessed heritably by several families, and last of all by the family of Argyle, who surrendered it *in anno* 1628 by contract, which was ratified in parliament *in anno* 1633. It

was afterwards constituted by a gift under the great seal, either *ad vitam*, or by a temporary commission. By King Malcolm's laws the salary was of old five pounds for every day of the Justice-ayr.

#### IV.—OF THE JUSTICE-CLERK.

By the forementioned laws of King Malcolm II. it appears that the Justice-Clerk was then no other than clerk to the Justiciar: but, by the foresaid act of King James VI., by which he is declared one of the officers of the crown, it seems he was then esteemed an officer of importance. Sir George Mackenzie is of opinion he was at that time one of the ordinary judges of the court. Others allege that he was not a judge before the year 1663, when he was declared to be so by an act of the Privy Council. However, by the regulations 1672, above-mentioned, he is now a constituent member of that bench, and always presides in absence of the Justice-General; and to this day he names the Clerk of Justiciary and his Depute.

#### V.—OF THE GREAT CHAMBERLAIN.

This was the fifth great officer in the feudal governments, and the same with the High Treasurer, or superintendent of the finances, in later ages; it is reckoned the same with the *Præpositus Sacri Cubiculi*, mentioned by Justinian, and equalled by him to the *Præfectus Prætorio*, and placed *inter illustres Palatinos*. In France he was called *Grand Chambrier*, and it was constantly possessed by the family of Bourbon.

He is ranked by King Malcolm as the third great officer, and called *Camerarius Domini Regis*; and had a salary of £200 allotted him. He anciently collected the revenues of the crown, at least before we had a Treasurer, of which office there is not any vestige till the restoration of King James I., and he disbursed the money necessary for the maintenance of the king's household.

He had a jurisdiction for judging of all crimes committed within burgh, and of the crime of forestalling; and was in effect Justice-General over the burrows, and was to hold Chamberlain-ayrs every year for that effect, the form whereof is set down in a tract called *Iter Camerarii*, the Chamberlain-ayr, among our old laws in *Reg. Majest.* He was a supreme judge, nor could his decrees be questioned by any inferior judicatory. His sentences were to be put in execution by the bailies of burghs. He also settled the prices of

provisions within burgh, and the fees of the workmen in the mint-house.

Home, in his history of the Douglasses, says, that the Chamberlain-ayr became very odious to the burrows, being rather a legal robbery than a court of justice. And the lords who seized King James VI. at Ruthven, 24th August, 1582, commonly called The Raid of Ruthven, issued a proclamation in the King's name, discharging the Chamberlain-ayrs to be kept; but this was chiefly *in odium* of the Duke of Lennox, then heritable Chamberlain, who was of the opposite faction, and was then banished.

The privileges of this office had fallen much into desuetude, not having been exercised for many years by the family of Lennox; and at last, in 1703, the duke resigned it in Queen Anne's hands, *ad perpetuam remanentiam*, since which time no Chamberlain has been appointed.

#### VI.—OF THE HIGH STEWARD.

The next great office was the High Steward. In the foreign states he is ranked the last of the great officers. He was judge of the King's household, and the whole family of the royal palace was under his care.

In Scotland his province was of the same nature: for in King Malcolm's laws, in which he is ranked in the fourth place, the other officers of the King's household, as the butler, baker, &c., are subjoined to him, and have their fees specified; and those of all the other inferior officers are left to the Steward's discretion.

It was reckoned an office of very great dignity, and was held heritably for many years by one family, who at last got the name of the officer settled as a surname upon their posterity by Walter, the son of Alan, who was at the same time Justiciar to King Alexander II. *anno* 1230. They were frequently nearly allied to the crown, and at last succeeded to it in the person of Robert, eldest son to Walter Steward, in the year 1371. This Robert was ninth heritable Lord High Steward of Scotland, and his son John, afterwards King Robert III., was created, by his father, Prince and Steward of Scotland, since which time the eldest son of the king is *natus Senescallus Scotia*.

#### VII.—OF THE HIGH CONSTABLE.

The High Constable, in France and other foreign nations, held the first place among the great officers. He was called *Comes stabuli*, et

*regalium præpositus equorum.* His two chief prerogatives were, first, the keeping of the king's sword, which the king at his promotion, when he swears fealty, delivers to him, in imitation of Trajan, who delivered his naked sword to Suro Licinius, his *Præfectus pratorio*, with these words, *Accipe hunc ense, ut si quidem recte reip. imperavero, pro me; sin autem secus, in me utaris*: from which these words, with a little variation, *pro me, si mereor in me*, were, with a naked sword put by Buchanan on the money coined during the minority of King James VI. Hence the badge of the Constable is a naked sword, as it was likewise of the *Præfectus pratorio* in the Roman empire. His other prerogative was the absolute and unlimited command of the king's armies while in the field; but that did not extend to castles and garrisons.

The High Constable with us was, by the laws of King Malcolm II., c. 6, judge to all crimes committed within two leagues of the king's house, or four Scots miles. Skeen, in his treatise of crimes, says, "All transgressions committed within the wand of the king's Marschal, *i.e.*, within twa leagues to the king's person (which is called the chalmer of peace) pertains to the constable, *leg.* Malcolm II., c. 6, in which place this jurisdiction is attributed to the Marischal, and constable; and in some old books it is noted to pertain to the marischal in time of warfare, and to the constable in time of peace."

The jurisdiction of this office came at last to be exercised only as to crimes during the time of parliament, which some extended likewise to all general conventions.

It has stood heritably in the family of Errol, since the time of King Robert Bruce, *vid.* Sir G. Mackenzie's criminals, *part 2., tit. 4.*

#### VIII.—OF THE MARISCHAL.

The Marischal is reckoned to be originally a German word and office, *a maker of camps*, and the ax, which he bears as the badge of his office, was that instrument with which he broke the ground; though this part of his office came to be delegated to the *Marischal du camp*. The Marischal commanded the cavalry, whereas the Constable commanded the whole army; yet, as Tillet observes, the Marischal was not under the Constable, else he could not be an officer of the crown; for it is essential to all officers of the crown and of the state to depend upon none but the king. Of old the orders in military cases were directed *To our Constable and Marischal*, and in



King Malcolm's laws his jurisdiction is conjoined with that of the Constable.

The office of Marischal has never been out of the family of Keith, and they have had no other title than that of Earls Marishal.

#### IX.—OF THE HIGH ADMIRAL.

This officer bore the second rank next after the Constable in the Italian states, first, because in the feudal governments the warlike officers were of greater use, and more esteemed than those of peace; and then, as a great part of their wars were carried on against the Saracens by sea, the office of Admiral, or chief commander by sea, came to be considered as of nearly equal importance with that of the Constable, or General by land. His command was very extensive, comprehending not only the king's ships and sailors, but he had also the inspection of the ports, harbours, and sea-coasts, and he had a particular tribunal, where the judges appointed by him decided all causes relating to sea affairs, and that according to a particular body of naval law.

In Scotland the ancient powers of the High Admiral are pretty much the same. He is properly the king's lieutenant and justice-general upon the seas, and his jurisdiction as a judge extended to the trial of all crimes committed at sea, and to all controversies, actions and quarrels concerning crimes, faults and trespasses committed upon sea, or in the ports and creeks thereof, or in fresh waters and navigable rivers, so far as the sea flows and ebbs; this he exercises by a depute, commissioned by him, called the Depute-judge-admiral, who likewise judges in matters purely commercial as arising from the sea.

Hepburn, Earl of Bothwell, was made heritable Admiral in Scotland, and upon his forfeiture, Stewart, Earl of Bothwell, had the office conferred upon him, and he also being forfeited, in 1603, King James gave it to the Duke of Lennox. But his male line having failed, King Charles II., on whom the succession devolved as heir of line, conferred it on his natural son, whom he created Duke of Lennox and Richmond, who, in the year 1703, resigned that office as well as that of heritable Chamberlain of Scotland in the hands of Queen Anne, *ad perpetuam remanentiam*.

#### X.—OF THE SECRETARY.

This office in Scotland was nearly the same with that of the great Protonotary, which agreed with the *Primicerius notariorum* among



the Romans ; these were of the prince's council, and acted therein as his secretaries. He was constantly to attend the king's person, receive the petitions and memorials that were presented to him, and write the king's answers upon them. All letters patent passed through his hands, and were drawn up by him. And with us all the king's letters and dispatches, warrants, orders, &c., were wrote out by him, and generally subscribed by him ; and where the writings were long a short docquet was also subscribed by him for the king's perusal, to show what the writings were, and the king afterwards superscribed them ; and all the writings signed by the king came through his hands, he was answerable for them if they contained any thing derogatory to the laws or the dignity of the crown. He was called *Clericus Regis*, though some apply that to the Clerk-Register.

#### XI.—OF THE MASTER OF REQUESTS.

We have no Master of Requests now, that charge being swallowed up by the secretary's office. Their business with us was, as at Rome, to represent to the king the complaints of the people ; *Referendarii*, says Cassiodore, *lib. 6. dolores alienos asserunt, conquerentium vota satiant, and per eos judices corriguntur.*

#### XII.—OF THE TREASURER.

This office was first known in Scotland upon King James I., his return from England, when he made a High Treasurer as well as a Chamberlain, who was now confined solely to the government of the burrows ; and the management of the king's revenue was committed to the care of the Treasurer as a distinct officer of state. His business was to examine and pass the accompts of the sheriffs, and others concerned in levying the revenues of the crown : he also received resignations of lands, and other subjects in use to be resigned in the king's hands, and to revise, compound, and pass signatures, gifts of tutory, &c. All which is now committed to the Court of exchequer in Scotland.

In 1617 the Treasurer is ranked by King James VI. as first officer of state ; and in 1623, when he determined the precedency of his counsellors, he is ranked next to the Chancellor, and in 1663 was declared president of the Exchequer.

The office of Comptroller, which was sometimes joined with that of Treasurer, and designed *computorum rotulator*, and that of collector

of the new augmentations, which were both distinct offices from that of the Treasurer, were all conjoined into one by King James, and exercised by the Treasurer till 1685, when the treasury was put in commission.

The Treasurer-depute was considered in the Treasurer's absence as Treasurer himself, and claimed precedency accordingly.

### XIII.—OF THE KING'S SEAL, PARTICULARLY THE PRIVY SEAL.

Of old, in the attesting of writs, seals were commonly adhibited in place of the subscription, and this took place even in documents of debt as well as in writs of the more solemn kind, as charters, which appears from the books of *The Majesty*, L. 3, C. 8. But from the same place it appears that inconveniences began very early to arise from that practice, and writing becoming more frequent, it is now gone much into desuetude, at least, is only used as one of the many solemnities introduced by the law for certiorating deeds.

In writs granted by the king the affixing of his seal alone gave them sufficient authority without signing. This seal was generally kept by the Chancellor: and from the old law cited above, p. 15, it may be inferred that all the king's despatches were verified by it.

In later times, when business increased, and particularly after King James I. returned from his captivity in England, and set about the modelling his court after the forms he had seen followed in the court of England, he appointed several new officers, and assigned them distinct provinces: particularly, at this time, he instituted the Privy Seal, which, besides its being appended to many of the writs that were ordained to pass under the seal formerly in use, which now, by way of distinction, came to be known by the name of the Great Seal, and to which the Privy Seal became, as it were, a preparatory step, it was appointed to give sufficient sanction

itself to several writs, which were not to pass any other seal. And it came at length to be an established rule, which is held to this day, that the rights of such things as might be conveyed among private persons by assignments, as rents, casualties, or other personal estate, were to pass by grants from the king under his Privy Seal alone; but those of lands and heritages, which among subjects are transmitted by dispositions, were to pass by grants from the king under the Great Seal. Accordingly the writs in use to pass under the Privy Seal alone, were gifts of offices, pensions, presentations to

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benefices, gifts of escheat, ward, marriage and relief, bastardy, *ultimus hæres*, and such like.

But as most of the writs which were to pass under the Great Seal were first to pass the Privy Seal, that afforded greater opportunity to examine the king's writs, and to prevent his majesty or his subjects from being hurt by obreption and fraud.

#### XIV.—OF THE LORD CLERK-REGISTER.

The Clerk-Register was of old the principal clerk in the kingdom, from whom all other clerks, who were his deputies, derived their immediate authority, and he himself acted as clerk to the parliament and council. He was called *Clericus rotulorum*, because of old the proceedings of parliament, and minutes and interlocutors of other courts, were not wrote in books, but in rolls of paper; hence they were termed *rotuli parliamenti*, the rolls of court; but thereafter they were appointed to be put in register-books, and the respective clerks ordained to transmit these books to the Clerk-Register to be preserved in the public archives or register. Whence his name of *Custos rotulorum*, which often occurs. By the treaty of union the preservation of the registers, in the same manner, is particularly provided for; and the return of the election of the sixteen Scots Peers to the British Parliament is ordered to be made by the Clerk-Register, or by two clerks of session, commissioned by him for that purpose.

#### XV.—OF THE KING'S ADVOCATE.

This is the same office with the *Advocatus fisci* among the Romans, and the Attorney-General in England; and his business is to pursue and defend in all causes wherein the king has an interest. His office was very honourable among the Romans, and he was dignified with the titles of *Clarissimus* and *Spectabilis*, which were bestowed only on the chief nobility; from whence probably it comes, that among the French he is designed *Messire*; which title is only bestowed on the Chancellor and Advocate, and that among us he is called *my Lord*; which, as a learned antiquarian observes, he found first given him in 1598.

His privileges are very extensive among us: for he is, as in France, *Consiliarius natus*, that is, a privy counsellor in a more particular way than the rest. He is allowed to sit within the bar of the court

of session covered, where only the nobility are allowed to sit. And Sir George Mackenzie observes, he was allowed to be present at the Lords advising of causes wherein he himself was interested, which was introduced in Sir Thomas Hope's time. He issues warrants for apprehending and imprisoning, which are as valid as if granted by a judge. And as it was decided in the parliament of Paris in 1685, that the King's Advocate might at the same time be a judge, so with us Sir William Oliphant and Sir John Nisbet were both Advocates and Lords of Session at the same time.

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## THE STAGGERING STATE OF SCOTTISH STATESMEN.

## CHANCELLORS.

1. James, Earl of *Morton*, Chancellor in Queen Mary's time, whose actions are at length set down in the histories of Buchanan and Knox, and Hoime's history of the family of Douglas, begot divers bastards, one of whom he made Laird of Spot, another Laird of Tofts. The first was purchased from his heirs by Sir Robert Douglas, and the last by one Belsches, an advocate. He was thereafter made regent in King James the VI.'s minority, *anno* 1572; but in that time was taxed with great avarice and extortion of the people, and by heightening the rate of money, and for coining of base coin, for adultery, and for delivering up the Earl of Northumberland to Queen Elizabeth, when he had fled to Scotland for refuge, being allured thereto by a sum of money.\* He was overthrown by the means of the Earls of Argyle, Athole, and Montrose; and was accused and condemned for being art and part in the king's father's murder, which was proven by the means of Sir James Balfour, Clerk-Register, who produced his handwriting.

He got a response to beware of the Earl of Arran, which he conceived to be the Hamiltons, and therefore was their perpetual enemy; but in this he was mistaken, seeing, by the furiosity of the Earl of Arran, Captain James Stewart was made his guardian, and afterwards became Earl of Arran, and by his moyent† Morton was condemned, and his head taken off at the market-cross of Edinburgh. He caused to bring home that heading instrument called *The Maiden*, out of Halifax in Yorkshire, wherewith he was first himself beheaded, 2nd June, 1581.‡

\* "The Earl of Northumberland had been delivered by the Earl of Mar, who was regent before Morton."—*Goodal*.

† Unlawful means.

‡ It was "The Gibbet Law" of Halifax, that a felon who had stolen goods within the liberty of the place should be taken to the gibbet, and have his head

2. George, Earl of *Huntly*, chancellor in the time of Henry and Mary.\* He was father to George, the first Marquis of Huntly, who slew the Earl of Murray, and burnt his house of Dunnybirsle, and did many other cruel actions, set down in Mr. Melvil's verses; † and grandfather to George, late Marquis of Huntly, who, for assisting James Graham, the Marquis of Montrose, in the late troubles, against this kingdom, being apprehended and brought to Edinburgh, had his head struck off in 1648.‡ His whole lands were appraised for debts, and most part of them are now in the hands of his brother-in-law, the Marquis of Argyle. His second brother, the Lord

cut off. The execution took place on the market-day, in order to strike terror, and was performed by means of an instrument called a gibbet, which was raised upon a platform, four feet high, and thirteen feet square, faced on each side with stone, and ascended by a flight of steps. In the middle of this platform were placed two upright pieces of timber, fifteen feet high, joined at the top by a transverse beam. Within these was a square block of wood, four feet and a half long, which moved up and down by means of grooves made for that purpose, to the lower part of which was fastened an iron axe, which weighed seven pounds and twelve ounces. The axe thus fixed was drawn up by means of a cord and pulley. At the head of the cord was a pin, fixed to the block, which kept it suspended till the moment of execution, when the culprit's head being placed on the block, the pin was withdrawn, and [his head severed from his body. In passing through Halifax, the Regent Morton witnessed one of these executions. He ordered a model to be made of the gibbet, and, on his return to Scotland, had a similar instrument constructed, which, remaining long unused, was called "The Maiden." The instrument is now in the museum of the Society of Antiquaries at Edinburgh.—*Halifax Gibbet and Gibbet Law*. By John Ryley Robinson, LL.D., Stokesley, 1871, 12mo.

\* George, fifth Earl of Huntly, was appointed Chancellor 20th March, 1565. He died suddenly, May, 1576.

† The verses referred to were doubtless written by Andrew or James Melville, the eminent Presbyterian divines, both of whom composed verses—the former in Latin, the latter in his native tongue (James Melville's Autobiography, &c., Edin., 1842, 8vo., pp. xlv.—xlvii.). The slaughter of "the bonny Earl of Murray" by the Marquis of Huntly, forms the subject of two old ballads (Maidment's "Scottish Ballads and Songs," Edin. 1818, 8vo., vol. 1., pp. 234—9). James, fourth Earl of Murray, was slain in his house at Dunibristle, Fifeshire, in February, 1592.

‡ The author errs in describing the second Marquis of Huntly as having assisted the Marquis of Montrose. Huntly, who had by Charles I. been appointed his lieutenant-general in the north, was jealous of Montrose, who held office as lieutenant-general of the kingdom; besides he had some private wrongs to avenge. He therefore declined to co-operate with him—a resolution which proved fatal to the king, to Montrose, and to himself. Huntly was beheaded on the 22nd March, 1649.

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Aboyne,\* and other four with him, as by divine providence revenging the fact of Dunnybirsle, were, in 1630, with a sudden fire in the night, burnt quick in the house of Frendraught.

The Lord Gordon,† eldest son to the last marquis, was shot dead at a field with James Graham; so that family is very near extinct and going to decay.

3. John Lyon, Lord *Glammis*, was made chancellor in King James's minority, 24th October, 1573. He was a good justiciar, but bruiked‡ the place only a few years; for, on the 17th March, 1577, he was shot at Stirling with a bullet by the Earl of Crawford and his followers, for a controversy that fell out betwixt them anent their marches. His grandchild, the late lord, died of the plague of pestilence, leaving behind him such a burden of debt upon the estate, that it behoved his mother to procure a warrant from the lords to sell lands till all the debts were paid.

4. John, Earl of *Athole*, was made chancellor after Glammis, but lived in the place but few years; yet in his time he did great oppressions to many, that he might augment his estate and grandeur, whereof this was not the least, that at the instigation of his mother he killed Sir John Rattray of that Ilk, being about the ninetieth year of his age, while he was sitting praying in his own chapel, by James Stewart, one of his domestics; who having but two daughters, Grizel and Jean Rattray, procreate on dame Elizabeth Kennedy, daughter to the Earl of Cassilis, he married the eldest himself, and

\* Sir John Gordon, second son of the Marquis of Huntly, was by Charles I. in 1627 created Viscount Melgum and Lord Aboyne; he perished with Gordon of Rothiemay and their six attendants in the burning of the house of Frendraught on the 18th October, 1630. The event has been commemorated in a pathetic ballad. For this composition, as well as an intelligent account of the burning of Frendraught Castle, see Maidment's "Scottish Ballads," Edin., 1868, 8vo., vol. i., pp. 262—271.

† George, Lord Gordon, eldest son of the second Marquis of Huntly, fell at the battle of Alford on the 2nd July, 1645. He was deeply lamented by Montrose and his army. On account of having composed a few lines "on black eyes," included in Watson's Collection, Part III., his name has obtained a place in Walpole's "Catalogue of Royal and Noble Authors."

‡ *Angl.* "enjoyed." Lord Glammis corresponded with Theodore Beza, the colleague of Calvin, on the subject of church polity. After his death Andrew Melville bestowed on him the following epigram:—

"Tu leo magne jaces inglorius; ergo manebunt  
Qualia fata canes? qualia fata sues?"

gave the other to Sir James Stewart of Balvenie, his brother. By this marriage he joined to his own estate the baronies of Rattray and Redcastle; so that by that cruel fact, none was left of that house but a brother called *Sylvester*, who, being also pursued for his life, was preserved by flying to a room of his own, called Craighall, which he possesses to this day. He was poisoned by means of the Earl of Morton, and died at Kincardine, 24th April, 1579;\* and albeit at his death he left his estate flourishing, yet did his successor sell the same wholly to the Murrays of Tullibardine and others; and two of the sons of the house have wandered the country these forty years begging.

5. Colin, Earl of *Argyle*, succeeded to be chancellor after Athole, who also continued not long in the office. His house found little advantage, but hurt thereby; for there was so great burden of debt upon the same, that it behoved his son, the late earl, to leave the country, not being able to give satisfaction to his creditors. He went over to West Flanders to serve the King of Spain, and became a papist, of whose flight the poet Craig † wrote these lines,—

“Now Earl of Guile and Lord Forlorn thou goes,  
Quitting thy prince to serve his Spanish foes.  
No faith in plaids, no trust in highland trews,  
Camelion-like, they change so many hues.”

\* John, fourth Earl of Athole, was elected Chancellor 29th March, 1577 (Privy Council Records). His father, the third earl, married as his first wife, Grizel, daughter of Sir John Rattray, of that ilk. Sir John had married Elizabeth, daughter of John, second Lord Kennedy, by whom he had, besides the daughters mentioned in the text, three sons. The eldest son predeceased him, without issue. On that event, Athole maintained his right to share in the succession proportionately with Sir John's two surviving sons. To insure his claim, he took possession of Rattray Castle, and plundered the family papers. Patrick Rattray, the lawful heir, took refuge in the Castle of Craighall. On the death of Patrick, Sylvester, the surviving brother, was unable to effect his service as heir at Perth, the county town, on account of the hostilities of Lord Athole and his friends. The service was therefore performed at Dundee ('*Douglas' Baronage*,' 276—7). The story of the slaughter of Sir John Rattray by the Earl of Athole is totally unsupported. It is evidently one of those calumnies which our author was only too prone to credit and record. Nor was the Earl poisoned through the instrumentality of the Regent Morton. He died a few days after dining with the regent at Stirling Castle. But a *post mortem* examination showed that he died from natural causes.—*Crawfura's Officers of State*, Edin., 1726, folio, p. 135.

† Alexander Craig published "*Poeticall Essayes*," London, 1604, 4to.; and "*Poetical Recreations*," Edinburgh, 1609, 4to. He has contributed to the "*Muses*



He gave to his son of the second marriage the lordship of Kintyre, which he sold in a few years to his brother, and went to the French wars, where he died.

His heir, Archibald, now Marquis of Argyle, being well educated, was early made a councillor, and created marquis in 1633.\* At that time there was great appearance of an alliance to have been made betwixt his son and the Marquis of Hamilton's daughter; and they two together fled from the parliament, having information that some plot was laid for their destruction; yet, some few days thereafter, things being pacified, they returned and sat again in parliament. But since that time their sweetest wine became their sourest vinegar; for an inveterate hatred has ever been betwixt them, and by their factions this kingdom has become a prey and conquest to the English nation.

6. Captain James Stewart,† thereafter styled Earl of Arran, was

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Welcome," and was also author of a volume entitled "The Amorous Songs, Sonnets, and Elegies of Mr. Alexander Craig, Scotto-Briton.," Lond., 1606, 12mo. In 1605 he received a pension, which was two years afterwards ratified by an Act of the Scottish Parliament. A person of his name was Commissioner for Banff in the parliament of 1621.

\* Colin, sixth Earl of Argyle, was appointed Chancellor 16th August, 1579. He died in 1584. His son Archibald, seventh earl, was a brave officer, and was some time connected with the Spanish service. That he became papist rests on the insufficient authority of our too credulous author. The grandson of Colin, sixth earl, was the famous Marquis of Argyle who was beheaded 27th May, 1661.

† In the more modern copies, the account of the Chancellor Arran is presented in these words:—

"James Stewart, son to the Lord Ochiltree. His rising and advancement was by his accusation of the Earl of Morton of treason in face of the council, as being art and part of King James VI.'s father's murder, after whose execution he was exalted in credit by the king, then being seventeen years, or thereby, and made captain of his guards by the Earl of Arran, and a counsellor, so that nothing was done in state, council and session, without his special order and direction. By him Sir John Maitland had first favour with the king; and his lady, being of the house of Lovat, called him oftentimes her man Maitland; neither was there any causes called in the outer-house of the session, but by such tickets as were reached out of her hand to the lord there sitting; so that he grew so insolent thereby, that he pretended to have right to the crown, as nearest kinsman to Duke Murdo; and the king was very glad, when he publicly in the session renounced, and quit-claimed whatsoever title he could pretend to the crown, and, casting in a crown of the sun, took instrument thereof in the clerk Robert Scot's hands. His lady, being curious to

chancellor to King James, and ruled all at his pleasure ; and his lady, Elizabeth Stewart, daughter to the Earl of Athole, was accustomed to sit in the session on the bench beside the lord of the outer-house, who called no tickets of causes but by her order. She styled Mr. Maitland, thereafter chancellor, her man Maitland. She was divorced from her first husband, the Earl of March, for his alleged impotency ; so that Arran was in one day husband to her, and father to her child, as Johnston\* says in his story.

know the estate of her family, advised with witches, and got this response, that her husband should be the highest head in Scotland, and she the greatest woman in it. Both which fell out contrary to their mind ; for she died of the hydropsy, and a great swelling of her body ; and he, after a short space, being made chancellor in 1584. as riding through Crawfordmuir, was invaded by the Lord Thorald and his son, and there slain, his head separate from his body, and carried upon the point of a lance, in revenge of Morton's death. He had a son called Sir James, who also was Lord Ochiltree, and had little better success than his father : who albeit he lived to a great age, and had great accession to the estate by the living of Salton, concrated to him, as was averred, in trust ; yet he sold the same totally for his own behoof, and defrauded the righteous heir of the same. And after he had, in imitation of his father, accused Sir Gideon Murray, then treasurer-depute, of misguiding the king's rents, which was the occasion of his death, by starving himself to death divers years thereafter ; he accused also James, Duke of Hamilton, of high treason, avowing to prove that he aimed at the crown ; but the Duke having greater credit with the king, found moyen that he was misbelieved, and got him sent home from London, prisoner, to the castle of Blackness, where he lived sundry years upon the king's expense, till the change of government, 1652 ; at which time being enlarged by the English, and falling short of means, he behoved to betake himself to be a physician (which art he had studied in prison), whereby he sustained himself and family till his death, and apparently will never have a successor, none of his lands being to the fore."

Captain Stewart, Earl of Arran, was second son of Andrew, Lord Ochiltree, a zealous promoter of the Reformation. He was an unworthy favourite of James VI., who gave him all the power of the government ; in 1584 he was constituted chancellor and lieutenant of the kingdom. In 1585 he was degraded from his honours and banished from court. In 1596 he was encountered and slain by James Douglas of Parkhead, nephew of the regent Morton, in revenge for his having caused the regent's death, by accusing him of being accessory to the murder of Darnley. (Crawford's "Officers of State").

\* Robert Johnston, author of "*Historia Rerum Britannicarum*," &c., from 1572 to 1628, published at Amsterdam in 1655, and of "*The History of Scotland during the minority of James VI.*," published at London in 1646. A MS. history of Scotland, preserved in the Advocates Library, is supposed to have been partly written by Johnston. He died about 1630.

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One day in the session, King James being present, the said captain James took a French crown out of his pocket and cast to the clerk, taking therewith instruments, that he claimed no right to the crown, albeit he said he was descended of Duke Murdo; wherewith it is said the king was as well pleased as if he had received from him the greatest favour in the world.

He was brought in by Esme, Duke of Lennox. His lady got a response from the witches, that she should be the greatest woman in Scotland, and that her husband should have the highest head in that kingdom; both which fell out; for she died, being all swelled in an extraordinary manner; and he, riding to the south, was pursued by the Lord Torthorald (called Douglas), whose whole family the said Captain James intended to have extirpated, and was killed, and his head carried on the point of a spear till it was brought to a churchyard. After which time the Hamiltons were restored to their own estate of Arran.

His son James attained to the title of Lord Ochiltree, but enjoyed the estate few years, and was forced to sell all for defraying of his debts.

He it was that accused James, marquis of Hamilton, of treason; but because either he could not clear the matter sufficiently, or because the king would not believe a misreport of a man whom he so much loved, he was sent prisoner to Blackness, and lay there ten or twelve years. In the end being dismissed, he has taken himself to be a doctor of medicine, by which means he sustains himself and his family.\*

7. Mr. John Maitland, second brother to secretary Maitland, after he had studied law in France, was preferred to be a lord of session by means of the Earl of Arran, and thereafter became chancellor. He was one of the Octavians,† and was created Lord Thirlestane, and was an excellent Latin poet, as his verses inserted in *Delitiæ Poetarum Scotorum* testify; and King James had such a respect to him, that he made the epitaph engraven on his tomb.‡ Yet

\* Sir James Stewart, of Killeth, who succeeded as fifth Lord Ochiltree, and whose unworthy career is set forth in the text, died in 1659. He was succeeded by his grandson William, sixth Lord Ochiltree, who died unmarried in 1675, when the title became extinct. "Douglas's Peerage," Edin., 1764, fol., pp. 523-4.

† The Octavians were the eight financial advisers of James VI.; they were so called from their number.

‡ Chancellor Maitland was second son of Sir Richard Maitland of Lethington, the poet, and was born in 1537. He became chancellor in 1586, and was created Lord Thirlestane in 1589. He died 3rd October, 1595. The epitaph composed

the conquest he made of the barony of Liddington from his brother's son, James Maitland, was not thought lawful nor conscientious.

He left behind him a son and daughter. The son having married chancellor Seton's daughter by dame Jean Fleming, and aiming at his father's place, by his moyen was made a lord of session ; which place he enjoyed all King James's time, till in King Charles's time he was displaced with the rest of the noblemen.\* His daughter was married to the Lord Seton, who, the first night, became mad and threw a chamber-pot in her bosom, and was imprisoned in Seton, and his brother got the earldom.

His grandson, now Earl of Lauderdale,† married one of the heiresses of Home, hoping to have got a half of that estate ; but was disappointed thereof by the heir of tailzie, who was preferred to him by a sentence of law. He was one of the commissioners from the General Assembly to England ; but being among those who plotted the relief of the king at Scarborough Castle in England, he was

for him by James VI. was engraved on a marble tablet attached to his monument in the parish church of Haddington. It was as follows :—

“HAEC JACOBUS REX SEXTUS.

“Thou passenger, who spiest with gazing eyes  
This sad trophy of death's triumphant dart,  
Consider, when this outward tomb thou sees,  
How rare a man leaves here his earthly part ;  
His wisdom and his uprightness of heart,  
His piety, his practice in our state,  
His pregnant wit, well-versed in every part,  
As equally not all were in debate.  
Then justly hath his death brought forth, of late,  
A heavy grief to prince and subjects all,  
Who virtue love, and vice do truly hate,  
Though vicious men be joyful at his fall ;  
But for himself, most happy doth he die,  
Though for his prince it most unhappy be.”

\* The son of Chancellor Maitland was created Earl of Lauderdale in 1624, and in 1644 was elected president of the Estates of Parliament. He died on the 20th January, 1645, and by William Drummond of Hawthornden, the poet, was commemorated in a Latin elegy.

† John, second Earl, and afterwards Duke of Lauderdale, was born at Lethington on the 21st May, 1616. A zealous Presbyterian, he was in 1643 appointed one of the commissioners from the Church of Scotland to the Westminster Assembly. He afterwards withdrew from the Presbyterian cause, and joined the court of Charles II. at the Hague. On the Restoration he was relieved from imprison-

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declared an enemy to the State, and debarred from returning until the king's coming home, in 1650. Then he was brought home and convoyed the king to that last expedition against England; where being taken at the field of Worcester, he was carried up to London and imprisoned in the Tower, where he lies at this present. And albeit his estate was great, by the conquests of his grandfather and father, yet it is well known at this day, that if all men were paid their lawful debts, there would be little or nothing left thereof.

8. John, Earl of Montrose, succeeded as chancellor in the place of the said Lord Thirlestane, in whose time that line was written in the sederunt house—

*"Et bibulo memini consule nil fieri,"*

for he was altogether void of learning; which King James finding, and perceiving his error, got a fair means to shuffle him out, by making him viceroy at a parliament in 1604, and putting in Chancellor Seton in his place; after which he retired home.\*

His son bruiked his estate, but lived at home, till in his old age he was made President of the Council, in July, 1626, a year before his death.

His grandson, James, Earl of Montrose, is so well known in these times, that there needs not much to be written here concerning him; only this, that his mother consulted with witches at his birth; and that his father said to a gentleman who was sent to visit him from a neighbour earl, that that child would trouble all Scotland. He is said also to have eaten a toad whilst he was a sucking child. He was divers years very zealous for the Covenant; and at the first time when the English came down to the Bricks,† when the Scots army lay at Dunselow, the lot of his regiment was first to cross the Tweed,

ment in the Tower, and appointed Secretary of State for Scotland. In 1664 he sanctioned the erection of the Court of High Commission, a tribunal intended for the subversion of the Scottish Presbyterian Church. In 1674 the House of Commons petitioned the king to remove him from State employment. He died at Tunbridge Wells on the 24th August, 1682.

\* John, third Earl of Montrose, was Chancellor of the Jury at the trial of the Regent Morton. In January, 1597, he was appointed Chancellor of the kingdom: he demitted the office in 1604, when, with a pension of £2,000 Scots, he was constituted Viceroy of Scotland. In this capacity he presided in the parliament held at Perth on the 9th July, 1606, when episcopal government was thrust upon the Church. He died on the 9th November, 1608, in his sixty-first year.

John, fourth Earl of Montrose, was appointed President of the Council in July, 1626, and died on the 26th of November following.

† Within three miles from Berwick-on-Tweed.

which he did himself in the midst of winter, boots and all. Yet thereafter, at subscribing the League and Covenant, finding that General Leslie was preferred to him, he changed his mind and took him to the king's party; and took a commission from his majesty to reduce Scotland to his obedience. And having the assistance of three or four hundred Irishmen, under the conduct of Alaster Macdonald, he defeated the Scots forces six times, and killed in these above eighteen regiments, as he says in his book. The places where these fields were, are Tippermuir, Aberdeen, Alford, Aulderm, Innerloch, and Kilsyth. Yet was he beaten, fifteen days after the last fight of Kilsyth, by David Leslie, lieutenant-general of the Scots army, at Philiphaugh. After that by capitulation, he was sent out of the kingdom; and, in King Charles the Second's time, having got his commission renewed, and coming to Ross with his forces, expecting to have got much assistance, was there beaten by three troops of Colonel Strachan's, and himself taken prisoner and brought to Edinburgh, and hanged at the market-cross, his head taken off, his body parted in four, his quarters sent to sundry towns of the kingdom, and his head put upon the Tolbooth of Edinburgh. His estate was shared amongst his friends after his forfeiture for relief of his cautioners, and the burdens which they had undertaken for him.\*

9. Sir Alexander Seton, thereafter styled Earl of Dunfermline, was made chancellor in King James VI.'s time, and possessed the same place the space of twenty years, and was one of the Octavians. In his youth he lived divers years in Italy, and is said to have received orders of priesthood in Rome; and that his chalice, wherewith he said mass, at his home-coming was sold in Edinburgh. He was a son of the house of Seton, and had his preferment by Queen Anne. He was first an ordinary Lord of Session, and styled prior of Pluscardie. He thereafter conquest many lordships, viz., the earldom of

\* The celebrated James Graham, first Marquis of Montrose, was born in 1612. At first a zealous upholder of Presbyterianism, he supported the cause by arms; he subsequently attached himself to Charles I., by whom he was appointed Lieutenant-General of the kingdom. His fame as a military leader rests on his successes against the Covenanters in six engagements, commencing with the battle of Tippermuir, fought on the 1st September, 1644, and terminating with his victory at Kilsyth on the 15th August, 1645. He was defeated by General Leslie at Philiphaugh on the 13th September, 1643, and on an attempt to restore the authority of the exiled king, he was, on the 27th April, 1650, surprised and routed by Colonel Strachan at Invercharron, Ross-shire. Having been delivered into the hands of General Leslie, he was conveyed to Edinburgh, where he was executed on the 21st May, 1650.

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Dunfermline, by the king's gift, the lordship of Urquhart, the baronies of Fyvie, Delgaty, and Pinkie. He professed himself a Protestant in outward show, but died an avowed Papist.\*

He married his four daughters, one to the Earl of Lauderdale, one to the Earl of Seaforth, one to the Earl of Kellie, and one to the Lord Balcarras; all which families except the last are gone to ruin.

He left his only son, Charles, Earl of Dunfermline, in a flourishing estate; but in a few years after his majority, by playing, and other inordinate spending, all was comprised from him; and when he was debarred by promise to play at no game, he devised a new way to elude his oath, by wagering with any who was in his company who should draw the longest straw out of a stack with the most grains of corn thereon. He got a vast gift from King Charles, viz., a three nineteen years tack of the abbacy of Dunfermline, which is worth in yearly rent £20,000, and in that space, if he shall happen to bruik it, it will amount to 1,100,000 merks.† The said lord chancellor‡ was a good humanist and a poet, as testifies that epigram prefixed to Leslie's chronicle of Scotland—

"Siccine vos titulis tantum gaudetis avorum,  
Nec pudet antiquam deseruisse fidem.  
At titulos dedit alma fides, dedit inclita virtus;  
Has nostri semper nam coluere patres.

\* Sir Alexander Seton, first Earl of Dunfermline, was third son of George, sixth Lord Seton, and was born about the year 1555. Being intended for the Church, he went to Rome and became a student in the College of Jesuits. The downfall of the Romish Church in Scotland induced him to abandon ecclesiastical for legal studies. Having passed advocate, he was by James VI. in 1583 appointed an Extraordinary Lord of Session; in 1593 he was elected President of the Court. After holding various other offices, he was elevated to the Chancellorship in 1604: he was created Earl of Dunfermline in 1606. In 1609 he was admitted a member of the English Privy Council. He died at his seat, Pinkie House, near Edinburgh, on the 16th June, 1622. He is commended in their histories both by Spottiswood and Calderwood, the latter asserting that he was "nae good friend to the bishops."

† Charles, second Earl of Dunfermline, was a zealous adherent of the Covenant, and was employed by the Estates in several important negotiations with Charles I. He supported the "Engagement" in 1648, and in the following year visited Charles II. on the Continent, returning with him to Scotland in 1650. At the Restoration he was sworn a Privy Councillor, and was appointed Lord Privy Seal in 1671. He died in 1673.

‡ The chancellor is celebrated as a scholar by Arthur Johnston in one of his panegyrics. He addressed an epigram to Sir John Skene on his publication of the *Regiam Majestatem*.



Cernitis, his modo desertis, ut gloria nostra  
 Conciderit, gentis concideritque decus.  
 Ergo est priscorum pietas repetenda parentum,  
 Ut referat nobis secula prisca Deus."

10. Sir George Hay of Nethercliff, who before was clerk-register, was made chancellor after Dunfermline. He was son to the bailie of Errol, laird of Megginch, and being bred at Douay with his uncle, Mr. Edmund Hay, a Jesuit, came over to England, and attended the Earl of Carlisle there, by whom he was preferred to be a gentleman-pensioner, and thereafter to be a gentleman of the privy-chamber. After that, by moyen of the Popish faction in England, he was advanced to the said dignity of state, hoping that way to have him their friend when they should be troubled for religion, being in that kingdom. He had little or no learning; yet did he conquest a good estate, and procured the same to be erected by his majesty into an earldom, viz., the baronies of Kinnoul, Aberdalgy, Dupplin, Kinfauns, Seggieden, Dunninald, and many others; \* all which estates, in a few years after his decease, his son made havoc of.†

His only daughter he married to the Lord Spynie,‡ a noble spendthrift and exquisite in all manner of debauchery, to whom she bore three sons; the eldest married the Earl of Ethie's daughter, but impotent altogether for a woman, as was known after his death; the second was drowned; and the third was taken prisoner in England at the battle of Worcester. His own lady caused put him in prison

\* Sir George Hay was second son of Peter Hay of Megginch. Born in 1572, he was educated at the Scots college of Douay under his uncle Edmund, well known as Father Hay. In 1596 he was introduced at court by his relative, Sir James Hay of Kingask, and was appointed a Gentleman of the Bedchamber. After holding a succession of offices he was at length elevated to the chancellorship on the 16th January, 1622. He was created Earl of Kinnoul by patent dated 25th May, 1633. He died at London on the 16th December, 1634, and was interred in the parish church of Kinnoul, where an elegant monument, with his statue habited in his chancellor's robes, was erected to his memory. He is commemorated by Arthur Johnston in a Latin epitaph.

† George Hay, second Earl of Kinnoul, was a faithful adherent of Charles I.; he refused to subscribe the Solemn League and Covenant. He died on the 5th October, 1644.

‡ Alexander Lindsay, second Lord Spynie, fought in Germany under Gustavus Adolphus of Sweden. He was appointed muster-master-general in 1626. After the battle of Tippermuir he joined the Marquis of Montrose in September, 1644; he was on the 19th of that month taken prisoner at Aberdeen by the Earl of Argyle. He died in March, 1656.

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at Dundee for his debauchery, where he died miserably. So that the whole estate of Spynie is for the most part disposed and gone. And of the said earl and his family may be said that verse which Chancellor Maitland made of another courtier in his time :—

“Absque modo intumuit, ceciditque ut bulla superbus,  
Et redit in nihilum, qui fuit ante nihil.”

11. Mr. John Spottiswood,\* parson of Calder, was son of Mr. John Spottiswood, superintendant of Lothian, in the time of the reformation of religion. He was made a bishop when the other eleven a year or two after King James's going to England were restored to their dignities. He was made Archbishop of Glasgow in the parliament 1606; and, at the death of Mr. George Gladstones, Archbishop of St. Andrews, succeeded to him in that place.

\* John Spottiswood, Archbishop of St. Andrews, was eldest son of John Spottiswood, superintendant of Lothian; he was born in 1565. Having studied at the University of Glasgow, he was in his eighteenth year ordained minister of Calder. While in England attending James VI. in 1603 he was appointed Archbishop of Glasgow. In 1606 he was summoned by the king to the celebrated conference at Hampton Court. In 1615 he was advanced to the Archbishopric of St. Andrews and the primacy. He was a sincere upholder of episcopacy, and was the means of passing the five articles in the General Assembly at Perth in 1618. He was appointed Chancellor in 1635. On the introduction of the Service-book in 1637, he gave his countenance to the project, and consequently became obnoxious. He was charged with numerous offences, and excommunicated by the Assembly of 1638. He retired to Newcastle, and being in feeble health, renounced the office of chancellor. Proceeding to London, he was seized with fever, and there died on the 24th November, 1639. His remains were interred in Westminster Abbey, where a marble monument (long since removed) was erected to his memory. It bore these lines :—

“Præsul, Senator, pene Martyr hic jacet  
Quo nemo Sanctior, Gravior, Constantior,  
Pro Ecclesia, pro Rege, pro Recta Fide,  
Contra Sacrileges, Perduelles, Perfidios,  
Stetit ad extremum usque Vitæ Spiritum,  
Solitamque talium Meritorum Præmium,  
Diras Rapinas Exiliumque pertulit,  
Sed hac in Urna, in Ore Postremum, in Deo  
Victor potitur Pace, Fama, Gloria.”

(Crawfurd's "Officers of State," p. 193). Archbishop Spottiswood composed a "History of the Church and State of Scotland," a work alike creditable to his learning and impartiality.

He was greatly blotted by the public fame\* both of drunkenness and licentiousness, as that verse made on him testifies :—

“ Vinum amat Andreas, cum vino Glasgoa amores.”

He was made chancellor after the death of Kinnoul ; but, before he had possessed the place two years, for bringing in the Service-book he was expelled the kingdom, and forced to fly to England, where he died in 1639.

In the year 1606 he caused imprison five or six of the ministry for holding a General Assembly at Aberdeen, being discharged by the king, and indicted them of their lives in Linlithgow, and banished them the kingdom. The men were Mr. Andrew and James Melvill, Mr. Andrew Duncan, Mr. Robert Durie, Mr. John Forbes, Mr. John Carmichael, and Mr. John Welsh ; at which time the said Mr. John Welsh wrote two letters, one to the laird of Kilsyth, and another to the lady Fleming, clearly telling and prophesying of the blood that should be shed in Scotland for contempt of the gospel, and of the decay of that bishop and his posterity.

He had two sons, Sir John and Sir Robert. To the eldest he conquest the lairdship of Dairsie and Kincaple, being worth £500 sterling per annum. The other he procured to be made president of the session, who indeed was an able scholar, and nowadays, to the sight of the world, evil inclined ; only he followed his father's way, and left the kingdom. Of his end we shall speak hereafter in his life.† Sir John sold the whole lands. He had married Sir William Irving's daughter, who also purchased the barony of Kelly, being fourscore chalders of victual, which also he behoved to sell again, and there is nothing left thereof. Sir Robert, before his death, sold the baronies of Whitekirk to George Home, of Foord, and the barony of Dunipace to Mr. James Aikenhead ; both of which he had conquest himself by assistance of his father a few years ago. So that the said Mr. John Welsh's prophecy is very likely to take effect. He had but one

\* The private character of the Archbishop was untainted, but he temporarily suffered from the calumnies of his ecclesiastical opponents. Of these, the most uncompromising was Andrew Melville, the famous Presbyterian divine, who, it is believed, composed the line of Latin verse which our author has been at too great pains to preserve.

† See *Postea*, under “ Secretaries of State.”

daughter, married to the laird of Roslin,\* which family is utterly gone, being the principal house of old of the earls of Caithness.

12. John Campbell, son to the laird of Lawers, who married the heretrix of Loudoun, for his learning was made choice of by the king and parliament to be chancellor. He was created earl in 1633, and was much respected for his sincere profession of religion. But *honores mutant mores*; for being sent to the king from the parliament he was imprisoned in the Tower, and ran a great risk of his life; for there was a warrant sent to Sir William Balfour, lieutenant of the Tower, to behead him. But Sir William procured a countermand by the Marquis of Hamilton's moyen, and so preserved his life: for which cause the chancellor undertook to raise an army in Scotland to assist the king, and by the Duke of Hamilton's faction was chosen, at the parliament of 1648, president of that parliament wherein the engagement was concluded. And for all that, thereafter the commissioners of the kirk, upon his repentance and acknowledgment of his fault, made him to be restored to his former estimation.

He was blotted of incontinence, whether justly or not his own conscience best knows; and was thereafter accused before the Presbytery for lying with the wife of one Johnston, a major of the army; but the matter could not be cleared at that time, both because the English army was then near the border, and the Presbytery were greatly his friends, for the help they had got from him in the augmentation of their stipends.

He bought the annuities due to the king from James Livingston, and thereby got a huge deal of money from the nobility and gentry for selling each one their own, with which he intended to buy Cumnock barony; but the troubles stopped that bargain, and he behoved to fly to his native country, the Highlands, and is thought to have taken the money with him. In the meantime, his place was declared void by the English, as all the rest of the places were which depended on the crown. His whole estate and lands were many times comprised for debts, and first by the lady of James Livingston, from whom he bought the right of annuities.†

\* It was Anne, only daughter of the archbishop, who married Sir William St. Clair of Roslin, representative of an opulent and distinguished House. Sir John errs both in describing the gentlewoman's parentage and also the condition of her husband's estate. Roslin remained in the family of the St. Clairs till 1736.

† Sir John Campbell, afterwards Earl of Loudoun, was eldest son of Sir James

## TREASURERS.

1. John Hamilton, Archbishop of St. Andrews, and base son to the Earl of Arran, was treasurer when George, Earl of Huntly, was chancellor in the queen's time.\*

He was blotted as being accessory to the murder of the king committed by the Earl of Bothwell, and, that night it was committed, was marked to lodge in his brother's house, which now is the college of Edinburgh, hard by the kirk of Field, where the murder was perpetrated. He also did instigate the Barons of the Border to invade England, when Queen Mary was put in close prison, *anno*

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Campbell, of Lawers, of the family of Glenurchy. In 1620 he married Margaret Campbell, Baroness of Loudoun, and in consequence was styled Lord Loudoun. He was created Earl of Loudoun, in May, 1633, but owing to his opposition to Court measures, his patent was suspended for eight years. He resisted the unconstitutional attempt of Charles I. to force episcopacy on the nation in 1637; he was an active member of the General Assembly of 1638, and in 1639 he garrisoned for the Covenanters the castles of Strathaven, Douglas, and Tantallon. He was one of the commissioners who settled the pacification at Berwick. In 1640, having proceeded to London as commissioner from the Committee of the Estates, he was arrested on a charge of treason and committed to the Tower; he regained his liberty through favour of the Marquis of Hamilton. In August 1640 he held command in the Scottish army at the battle of Newburn; he presided at the opening of the Estates in the July following. During the royal visit in 1641 he was appointed chancellor, and first commissioner of the Treasury. With two others he was sent to treat with the king in Carisbrooke Castle in 1647; he at first concurred in the "engagement," but afterwards withdrew from it. Soon after the defeat of Charles II. at Worcester, in 1651, he retired into private life. At the Restoration he was deprived of his chancellorship, and fined £12,000. He died on the 13th March, 1663. His morals have been impugned by our author only.

\* John Hamilton was in 1625 appointed Abbot of Paisley; he was preferred to the bishopric of Dunkeld in 1643, and in the same year became successively keeper of the privy seal and treasurer of the kingdom. On the assassination of Cardinal Beaton, in May, 1546, he was elevated to the primacy as Archbishop of St. Andrews. He founded the Divinity College at St. Andrews for the better education of the clergy, but sternly opposed and persecuted the promoters of Reformation. After his capture at Dunbarton Castle on the 1st April, 1571, he was subjected to trial as an accomplice in the murder of Darnley, but proof having failed, he was, on the ground of being previously forfeited, condemned to death by the Regent Morton. He was hanged at Stirling Bridge in his pontifical robes on the 5th April, 1571. The archbishop led a somewhat dissolute life: he openly kept a mistress, who bore him several children.—(Crawford's Officers of State).

1567; but after the field of Langside, he fled to Dumbarton Castle, where, being apprehended, he, at command of the viceroy, the Earl of Lennox, was brought to Stirling, and there hanged; whereof one wrote these lines:—

“Vive diu, felix arbor, semperque vireto  
Frondebis, ut nobis talia poma feras.”

He left the lands of Blair, and others, to his base son, whose son John, after he had quitted his wife by playing the harlot by her, sold all the land, and fled the country; and these lands of Blair belong now to the laird of Fairney.\*

2. Mr. Robert Richardson,† commendator of St. Mary's Isle, was treasurer to Queen Mary. He conquest a great estate. To his eldest son he gave the baronies of Smeton and Wallyford, and many lands about Musselburgh, with the mills thereof. To the second the barony of Pencaitland. The eldest, Sir James, disposed the mills of Musselburgh and divers lands to Lauderdale, and the rest of the lands about Inveresk to Chancellor Seton; but as yet his grandson brooks Smeton and Wallyford. But the son of Sir Robert, the second son, has sold all the barony of Pencaitland to Mr. James Macgill of Cranston-riddel.

3. William, Earl of Gowrie; he was, in all appearance, the son of the Lord Ruthven, ‡ who, in his old age, with the Lord Lindsay, at

\* Archbishop Hamilton was succeeded as treasurer by Gilbert, Earl of Cassilis, who held office from 1554 till his death in 1558. Being one of the Scottish Commissioners who witnessed the marriage of the youthful Queen Mary to the Dauphin, he was asked to give consent that the Dauphin should assume the Scottish crown. With the other commissioners, he refused to acquiesce in this proposal. Not long after, with two of his colleagues, he died suddenly at Dieppe, on the 28th November, 1558, and there were grave suspicions that poison had been administered.—(Crawford's Officers of State).

† Richardson was an opulent burgher of Edinburgh, and being much reputed for his integrity, was appointed treasurer by the Queen Regent on the death of Lord Cassilis. He held the treasurership till his death in 1571.—(Crawford's Officers of State).

‡ He was eldest surviving son of the third Lord Ruthven. He took part in the murder of Rizzio, joined the association against the Earl of Bothwell in 1567, and as a commissioner, along with Lord Lindsay, announced Queen Mary's intention to renounce the government. On the 24th June, 1571, he was appointed treasurer for life. Long an attached friend of the Earl of Morton, he became his bitterest enemy, and was one of those who accelerated his death. He was created Earl of Gowrie on the 23rd August, 1581. He was instigator and chief actor in the Raid of Ruthven, 23rd August, 1582, for which he received the royal pardon in December,

the request of the king, killed Signor Davie, the Italian, in Queen Mary's bedchamber. After he had exercised the office of treasurer some years, and had brought a great debt on his family, he was in the end accused of treason, convicted thereof, and his head struck off in the town of Stirling, in King James VI.'s youth. Yet were his children by Dorothea Stuart, his lady, rehabilitate, being four, John, Alexander, William, and Patrick. John, in his youth, being well educated in the College of Edinburgh, travelled through France and Italy; and within a year after his return, he, with his brother, Mr. Alexander, were both killed in his own house in St. Johnston, on the 5th August, 1600, for treason against the king,\* of intention to have murdered him, having invited him to his own house. Their dead bodies were carried to Edinburgh, and their heads put upon the most eminent places of justice in that town. The story is extant in divers languages, but, for the truth of the narration, it is not fit to be dived into here: *Nam rimanda non sunt arcana imperii*. William was banished to France, and there died; and Patrick was kept many years in the Tower of London, where, by his own industry, he attained to a great knowledge in physic; but, because he took no fees for it, he came never to great riches.

The earldom was divided by the king among the three who had been most active at their slaughter, viz., John Ramsay the page, whom the king made Viscount of Haddington; Sir Thomas Areskine, created Earl of Kelly; and Sir Hugh Herries. Haddington was afterwards made Earl of Holderness, and died in great favour with the king; but all the lands that he got, and what he conquest himself, are disposed by his successors. In like manner, the barony of Cousland, given to the said Sir Hugh Herries, remained but very few years with him, being evicted by law from his relict. And of the Earl of Kelly's, only the barony of Kelly and Pittenweem conquest

1583. Having conspired a second time to seize the person of the young king, he was apprehended and arraigned for high treason. He was found guilty, and condemned on the 4th May, 1584, and executed on the same day. By his wife, second daughter of Henry, Lord Methven, he had five sons and seven daughters.

\* The reality of the Gowrie conspiracy was long doubted by the Presbyterian party, who conceived that the Earl of Gowrie and his brother fell victims to the unrighteous policy which had sacrificed their father. Modern historians, including Mr. Tytler, are, however, entirely of opinion that the conspiracy was a reality, and that the king's life was, according to his relation of the event, seriously imperilled.

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by himself remain undisposed. For the lordship of Dirleton was sold by himself twenty years ago to James Maxwell, one of the bed-chamber: and this present earl having been at the battle of Worcester in England, and taken prisoner, is said to have escaped, and come privately to Scotland in a beggar's habit.\*

4. Thomas, master of Glamis, treasurer. He was brother to the Lord Glamis, chancellor, who was shot in Stirling out of a window, riding through the streets.†

He was one of them who attended the king in his minority in the castle of Stirling. It was he that, long before he came to that place, at the Raid of Stirling, *anno* 1585, when King James was pressing to go out at the castle-gate to the lords who came to take him, put his foot to the gate, and held the king in; who, then weeping for anger, got that answer from the master, *'tis better bairns weep as bearded men*. Yet for all that, the king honoured him with that place.‡

He was a bold man, and stout; and because that he was informed that the Earl of Crawford was the author of his brother's death, he came with some of his friends to the house of Cairny, in Fife, there to have killed the said earl, having before agreed with his chamber-boy to betray him to them; but there being one of the master's company in the close, attending at the time when the servant should give a sign for their coming, the servant, upon remorse, revealed the plot to my lord, and having shown him the place where the man stood in the close, he with a single bullet killed him dead; whereupon the master and his company behoved to retire.

He conquest the barony of Auldbar, and other lands, but had no succession; so that his estate fell to the Lord Kinghorn's brother James, and is since acquired by his brother the Earl of Kinghorn.

5. Walter Stewart, commendator of Blantyre, brother to the laird of Minto, treasurer in King James VI.'s time. When he was

\* After the execution of the first Earl of Gowrie, the Earl of Montrose was preferred to the post of treasurer. He held the office about a year; he subsequently became Lord High Chancellor (see *supra*).

† See *supra*.

‡ Sir Thomas Lyon was one of the chief conspirators at the Raid of Ruthven. In October 1585 he succeeded in driving the favourite Arran from the king's presence, when he obtained restoration of his estates which had been forfeited, and was constituted Lord High Treasurer for life. He demitted the treasurership on being appointed in 1596 one of the Octavians. He died 18th February, 1608.



riding up the street of Edinburgh, he fell and broke his leg, and a courtier said, merrily, that it was no marvel the horse could not bear him, seeing he had so many offices ingrossed in his person; for by that place he was a lord of council, session, and exchequer. He conquest the baronies of Blantyre, Cardonald, and Calderhall.\*

His eldest son, James, married Lady Dorothy Hastings, daughter to the Earl of Huntington. When he went up to England with King James he was in great favour with his majesty, being a gallant youth of great hopes; but a discord falling out betwixt him and the young Lord Wharton, they went out to single combat, each against the other, a mile from London, and, at the first thrust, each of them killed the other, and fell dead in one another's arms upon the place.

The second son, William, Lord Blantyre, sold Calderhall to Harie Elphinston: and I believe little or nothing is left of the lands unwadset or undisposed at this day.

6. Alexander, Lord Elphinston, was treasurer some years before the king's going to England.† His family had its first rise in King James IV.'s time, by marrying Elizabeth Barlie, an Englishwoman, one of the queen's maids: for with her the king gave him the lordship of Kildrinnie.

He lived till he attained a great age; but the king moved him to quit the place to Sir George Home, a courtier.

His son, the master of Elphinston, having no heirs male, the lordship fell to another brother's son, who has got it with so great a burden of debt that it is suspected ‡ that it shall end in his person.

\* Walter Stewart was son of Sir John Stewart, of Minto; he was born about the year 1568, and was, along with James VI., educated under Buchannan. He was in 1595, appointed one of the Octavians, and in the following year Lord High Treasurer. He held the office for three years. In 1606 he was raised to the peerage by the title of Lord Blantyre. He died in March, 1617, and was succeeded by James his eldest son, who was killed in a duel by Sir George Wharton, on the 8th November, 1609.—(Crawford's Officers of State).

† On the removal of Walter Stewart from the Treasurership, the office was bestowed on Gilbert, Earl of Cassilis, who resigned it after a short period. He was succeeded by Alexander, Lord Elphinston, who demitted the office after a year. He died July, 1648, at an advanced age.

‡ Our author's surmise as to the speedy downfall of the House of Elphinstone has not been realized. John, 13th Baron Elphinstone, was, for his distinguished services as Governor of Bombay, raised to the British peerage 21st May, 1859. He died 19th July, 1860, when he was succeeded by his cousin, the present peer.



In his time there was a process intended against him by the Earl of Mar for the lordship of Kildrinnie, as a part of that earldom, and the same was evicted; at least, by transaction for great sums of money, was disposed again to him.

7. Sir George Home\* was in great credit with King James after his going to England, and by him was created first Lord of Berwick, then Earl of Dunbar. He got all these offices erected in his person, and was made treasurer, comptroller, and collector, and was sent many times to Scotland, as the king's commissioner, to execute justice on the borders, which he did with great rigour: but, by the hatred of some of the courtiers there, he was not suffered long to enjoy that extraordinary favour; for with some tablets of sugar, given him for expelling the cold by Secretary Cecil, he was poisoned: which was well known by the death of Martin Sougar, a doctor, who, by laying his finger on his heart, and touching it with his tongue, died within a few days thereafter; and by the relation of his servant of his chamber, Sir James Baillie, who saw him get the tablets from the said secretary, and who having eaten a small parcel of them himself, struck all out in blisters; but by strength of body he escaped death.

His estate, being very great, fell to his two daughters. The one married the Lord Walden, an Englishman; the other the laird of Cowdenknowes. The Lord Walden disposed all his part thereof, viz., the lordship of Berwick, to Sir James Douglas, the Earl of Angus's brother, after he had caused pull down the great edifice of the castle of Berwick, that he had built there, and transported the whole marble other and hewn work thereof to London. The other

\* Sir George Home was third son of Alexander Home, of Manderston, Berwickshire. In early life he was introduced at court, and being a favourite of the king, he soon attained emoluments and honours. He was appointed Treasurer on the 5th September, 1601. When James succeeded to the English throne, Home followed him to London. He became Chancellor of the English Exchequer, and was created Baron Home. He was subsequently created Earl of Dunbar, in the peerage of Scotland. He zealously aided the king in his designs to overthrow Presbyterianism; and his manners being conciliatory, he endeavoured to reconcile the Presbyterian clergy to the prelatie system. An able administrator, he was frequently employed on special services. He died at Whitehall, on the 29th January, 1611. The story of his death, as related in the text, is pure fiction—one of those calumnies which our author was unhappily too prone to indulge. In the parish church of Dunbar, the Earl of Dunbar is commemorated by an elegantly sculptured marble monument of massive proportions.

son-in-law, Cowdenknowes, despatched also his part, and sold the same to Thomas, Earl of Haddington. Yet did his son, procreated on the said Earl of Dunbar's daughter, by law attain to the earldom of Home, which was worth £5,000 *sterl. per annum*. But, in the space of five years, it is brought to such a pass, that little or nothing is left thereof, scarce so much as to sustain him and his family.

8. Sir Robert Ker,\* a brother of the house of Fernihirst, became minion to the king about the year 1608, and by him was raised to great honours, and made first Lord Rochester, and then Earl of Somerset and Knight of the Garter. By the death of the foresaid Earl of Dunbar he got established in his person the places of treasury, comptrollery, and collectory, which he exercised never by himself, but by his depute, Sir Gideon Murray, his near kinsman, who shall be spoken hereafter.

He married the Countess of Essex, being divorced from her husband for his inability. But that lady, having a great spleen at his friend, Sir Thomas Overbury, who dissuaded him from that marriage, and told him it would never thrive, she thereupon counselled her husband to cause the king send Sir Thomas ambassador to Persia or Turkey, for disobeying of which command he was committed prisoner to the Tower, and there, by the said lady's moyen, he was poisoned; and she thereafter and her husband were indicted and convicted of murder, and condemned for that fact; but, by the favour of court, their lives were preserved.

He had no heirs male, but married his only daughter to the Earl of Bedford, and gave him so great a portion with her, that he had very small means to live upon himself before his death; and the burdens of the lands in Scotland, which he had acquired off the house of Fernihirst, being taken on and paid by his brother-in-law, the Lord Balmerino, were so great, that it is likely little or nothing thereof will accresce to the said lady or her husband, whereupon they have at present a Process depending before the judges in Scotland.

\* On the death of the Earl of Dunbar, the treasurership was put into commission. It was bestowed on Sir Robert Ker, in 1613, who was the same year created Viscount Rochester. In 1614 he was appointed Lord Chamberlain, and advanced to the earldom of Somerset. The leading events in the subsequent career of this unprincipled courtier are by our author correctly related. He died at London, in July, 1645.—Crawford's "Officers of State."

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9. John, Earl of Mar,\* got all the offices of treasury, comptrollery, and collectory, after the death of Sir Gideon Murray, which he discharged many years. Yet was his estate nothing bettered thereby; for albeit he conquest the lordship of Carnwath, belonging to the Lord Somerville, to the eldest son procreated of the Duke of Lennox's sister, and got him the earldom of Buchan by marrying the heritrix thereof, yet for all that it evanished, and melted like snow off a dyke; Carnwath being sold to Sir Robert Dalziel, and the rest of the lands being all apprised by his cautioners, and they in possession of the same.

His chief delight was in hunting, and he procured by acts of parliament that none should hunt within divers miles of the king's house. Yet often that which is most pleasant to a man is his overthrow; for, walking in his own hall, a dog cast him off his feet and lamed his leg, of which he died; and at his burial, a hare having run through the company, his special chamberlain, Alexander Stirling, fell off his horse and broke his neck.

He sold many lands in his own time, as the lordship of Brechin and Navarre; the barony of Walstoun to Robert Baillie, the barony of Coldinghoof to James Rae, the whole spiritualities and teinds of the abbacies of Dryburgh, Cambuskenneth, and Inchmaholm.

His eldest son being put off the session, as being a nobleman, and having returned home, became blind, as he is at this day; and the burdens of the estate are yet thought to be great enough, and that John Knox's prophecy is like to take effect, who said that House could not long subsist, being so sacrilegious.†

\* John, seventh Earl of Mar, son of the Regent Mar, was born in 1558. He was, along with James VI., educated at Stirling under Buchanan. He joined in the Raid of Ruthven, and was forfeited, but afterwards received the royal pardon. He was entrusted with the charge of Prince Henry, accompanied James VI. to London, and was sworn of the English Privy Council, and installed a Knight of the Garter. He was appointed Treasurer of Scotland on the fall of Somerset in December, 1615; he resigned office in 1630. Lord Mar died at Stirling on the 14th December, 1634.

† The Regent Mar completed the destruction of Cambuskenneth Abbey, and with the materials erected an elegant private mansion in a conspicuous position on Stirling Rock. John Knox, it is related, remonstrated with him on the impropriety of demolishing a religious house to suit his private ends, but without changing the regent's purpose. To indicate his contempt of ecclesiastical interference, he caused these inscriptions to be engraved over the chief entrances of his mansion:—

10. William, Earl of Morton,\* treasurer, was son of the laird of Lochleven, who in his youth, with his sister's son, Lord Oliphant, fled out of the country, for cutting off four loads of spears carried from St. Johnston to Stirling, thinking they had been my Lord Hamilton's, with whom he had deadly feud, for the slaughter of the good regent, James, Earl of Murray, when indeed they belonged to his majesty; for which reason he left the kingdom, but upon his travels he perished in the sea.

So William, Earl of Morton, succeeded to his grandfather; but disposed the most part of the lands in his time, to wit, the lordship of Morton, the baronies of Drochils, Linton, and Carnebothell the lordship of Eskdale-muir, and Kirknewton, the lordship and regality of Dalkeith, to the value of £100,000 *Scots* of yearly rent.

He continued short time in the place, and quitted the same wholly to the Earl of Traquair, after he had got a great sum of money from the king for quitting of Dalkeith.

Thereafter he got Orkney and the small customs, to which country he went, and there died; and nothing of that vast estate is now left except Aberdour and Lochleven, upon which there are as great burdens as will exhaust them.

He himself and his son both begot adulterous children; at least the father was known to have disregarded his lady, and to have had conversation with others in her time; and his son begot a child on a servant-maid when his wife was in childbed. In a short time after his father's death he died also.

What they have in Orkney by the late king's gift cannot now subsist in law, if it be challenged, as being land gotten unlawfully

"I pray al lvkaris on this lvging,  
Vith gentil e to gif thair jvging."

"The moir I stand on opin hitht,  
My faults mair svbiect are to sitht."

"Esspy, speik furth, and spair notcht,  
Considder veil I cair notht."

\* William, Earl of Morton, was born in 1587. He was constituted Treasurer in April, 1630, and held the office five years. A stanch adherent of Charles I., he sold his estate of Dalkeith to procure money for that monarch. On the outbreak of the Civil War he retired to his estate in Orkney. He died on the 7th August, 1648, in his sixty-first year.

by an advice of lawyers, making the king acknowledge the receipt of great sums from a man who never had any to give him.

11. Sir John Stewart of Traquair, knight, thereafter created Earl of Traquair, was first brought in by the Earl of Morton to be treasurer-depute to him, but within a few years he displaced the principal,\* and got the full possession of the treasury to himself; which place he managed so nimbly that he conquest many lands in the space that he enjoyed the same,† to wit, the baronies of Drochils, Linton Horseburgh, Henderland, Dryhope, and many others. He was, as Lucian said, *impatiens consortis*. For, finding himself opposed in judicatories by the kirkmen, called bishops, he rested not till he got them undermined and by act of parliament expelled the kingdom. And their own insolence, pride, and avarice gave him good ground to do so; for they could not be content with their bishopricks, but urged also to have all the rest of the kirk-livings, as abbacies, priories, &c., which exasperated the whole kingdom against them.

In these times the said Lord Traquair, after subscribing the Covenant, went up to court, and there in public council declared against the public resolutions of the kingdom of Scotland; which was the first ground that moved the English to consent to levy an army against this nation; with which army the king himself came down to the Border. But matters being then pacified, the said Earl of Traquair was made the king's commissioner to the parliament; but after that was declared incapable of government, and an in-

\* The Earl of Traquair was appointed Treasurer in 1635. When Charles I. thrust the Liturgy on the Scottish Church in 1637, he took a prominent part in executing the king's command. He afterwards subscribed the Covenant, and became High Commissioner to the General Assembly of 1639, which ratified the proceedings of the famous Assembly of the former year, abolishing episcopacy and rescinding the Articles of Perth. In 1641 he was impeached before the Scottish Parliament as "an incendiary"; he was rescued from a capital sentence by receiving the royal pardon, but was deprived of the Treasurership. In 1648 he raised a troop of horse in connexion with "the Engagement." Taken prisoner at the battle of Preston, he was warded in Warwick Castle, where he remained a prisoner four years. He died suddenly on the 27th March, 1659. In a note to Goodal's edition of this work, it is related that he died in extreme poverty. This writer adds, "At his burial he had no mortcloth but a black apron; nor towels, but dogs' leashes belonging to some gentlemen that were present; and the grave being two feet shorter than his body, the assistants behoved to stay till the same was enlarged and he buried."

† He was Treasurer from 1636 till 1641.

cendiary, by act of parliament, and behoved to retire to England; where being with the king, and having dealt for the releasing the Earl of Lothian, then prisoner there (after his return from France, and seeking supply to Scotland from the said kingdom), he obtained such favour and respect of the said earl, that by his means he was brought in again to the parliament, wherein the engagement against England was concluded; with the which army he went himself, and was taken prisoner at Preston, where he has been detained since.

One George Nicol, a writer, gave in a paper to the king against him, when he was in his grandeur, showing that many of the king's rents were misguided; but he got no other thanks nor reward from his majesty, but he remitted him to the censure of the council, who decreed him to be scourged, a paper put on his head, and to stand at the cross of Edinburgh a forenoon; which made the poor young man fly the country, and terrified all other persons from informing his majesty of any thing that was done to his prejudice in this kingdom.

He also procured from his majesty a remission to one Thomas Mackie, sheriff-clerk of Wigton, who was found guilty by the sentence of the lords of session of a notable falsehood, viz., to have filled up, in a small piece of paper cut out of the first leaf of a Bible, whereon the Lord Herries's name was written, before that word *Herries* (which was done for knowing the book to be his) a discharge of 6,000 merks, which a gentleman in the country was owing to the said Lord Herries, and insert four dead witnesses therein, that it might never be gotten improven. For this, it was said, he got 5,000 merks, whether of composition to the king, or for his own use, is best known to himself. Which truly has done great prejudice to the kingdom, and opened a door to many, who, in imitation thereof, have since counterfeited writs, and have been convicted and hanged for so doing.

Another great prejudice he did to the nation: for when some Dutchmen, as assignies to the Earls of Panmure and Stirling, had got a liberty of trading in Guinea for Scotland, as the English had before, and had brought a ship to Leith with the commodities of the said land, and much gold in dust to be coined there, the said Treasurer did so cross the merchant, Mr. Hieronymus Lefell, by delays and rigorous exaction of dues never before heard of, and by the means of a servant of the master-coiner's, cousin-german to his lady, who run away with a pockful of the said gold, that the poor

man broke his heart, and died in Edinburgh in a few days, and that trade was renounced for ever after, to the no small discredit of the Scots nation in Germany ; of which nation all the undertakers were natives.

He has lived a prisoner since that time, and is said now to have turned a preacher. His only son, the Lord Linton, within these few years, married the Lady Seton, an excommunicate Papist.

The father has been much slandered for his too much familiarity with the ladies of Monteith and Cardross, the verity whereof none knows but God and himself. And if they be true, it is likely that his family will not be of long subsistence, albeit he has done the utmost of his endeavours for establishing the same to posterity : for it is no marvel he grew rich, seeing he never made compt of his intromissions with the king's rents, many years before his departure.

12. John, Earl of Crawford,\* brother-in-law to the Duke of Hamilton, after the battle of Longmeston-muir, where the king's nephew, Prince Rupert, was defeated, was, by the parliament, appointed Treasurer for the king, and kept the place but three or four years ; and it may be justly said of him as the Romans said of Bibulus :—

“ Et Bibulo memini consule nil fieri.”

For in his time he neither did good to the king, himself, nor his friends ; but having 100,000 merks of his own, he has spent the same, and hurt the rest of his lands in a high measure.

He had a liberty, by patent under the great seal, ratified in parliament, for changing the whole ward-lands into feu, which might have been of great benefit to the king and to himself also, if he had put the same in practice. But albeit many urged to have got their lands changed, yet did he never suffer any at all to pass but one charter of his own.

His dependence and following of the house of Hamilton has much harmed him, and by their council was he moved to condescend to that engagement ; since which time he has been in great

\* John, eleventh Lord Lindsay, and fourteenth Earl of Crawford, was constituted Treasurer in 1641. He joined the “Engagement” of 1648, and in the following year was deprived of his Treasurership by the Estates. At the coronation of Charles II., at Scone, in 1650, he carried the sceptre. After the Restoration he was replaced in the Treasurership, which he resigned in favour of the Earl of Rothes, his son-in-law, in 1664. He died in 1676.



hatred by the kingdom, and debarred from all public trust ; till, by consent of the Church, and authority of the General Assembly, all malignants were brought in to expel the enemy ; at which time his majesty left him to raise forces in the north, with some other of the nobility ; where, with his associates, he was apprehended at Eliott, in August, or September, 1651, and was sent prisoner to London, where he was incarcerated in the Tower, and there detained till the return of King Charles II.

#### TREASURER-DEPUTES.

1. Sir Robert Melville, of Murdocairnie, was Treasurer-depute in King James VI.'s time,\* and therein did very good service, which appears by the success of his posterity : for albeit his only son, Sir Robert Melville, had never children, yet his conquests are as yet entire to the heirs of tailzie. Only this wrong was done by his son, Robert Lord Melville, that he gave the title and best part of his lands to the house of Raith, of which house he himself was descended, and made them Lords Melville, when indeed the laird of Halhill was righteous heir.† Yet the barony of Burntisland of old pertained to the abbot of Dunfermline, who was chief instrument in the governor's time, to take the head off the said laird of Raith for having written a letter ‡ to an Englishman ; and yet so ruled Divine Providence, that, by the favour of King James VI., he got the heritable right of

\* Sir Robert Melville was second son of the laird of Raith. Though a convert to the Reformed doctrines, he zealously upheld the cause of Queen Mary, and was on her behalf often sent as ambassador to the English Court. He was appointed Treasurer-depute and knighted in 1582. In December, 1586, he was sent to England by James VI., along with the Master of Gray, to plead with Queen Elizabeth for his mother's life. When, in 1589, James sailed for Norway to bring home his queen, he appointed Melville Vice-Chancellor of the kingdom. In 1594 he was admitted an extraordinary Lord of Session. He resigned his depute-treasurership in 1596, on the appointment of the Octavians. He was created Lord Melville of Monimail on the 30th April, 1616. He died in 1621, at the advanced age of ninety-four.

† Robert, second Lord Melville, was twice married, but dying without issue, he was succeeded by his cousin, son of John Melville of Raith, his father's eldest brother. Our author complains that the honours were not allowed to descend in the line of conquest, in which case Sir James Melville, of Halhill, the first Lord Melville's younger brother, would have been heir. Sir John Scot married, as his second wife, Margaret Melville, daughter of the Laird of Halhill.

‡ Sir John Melville, of Raith, father of Sir Robert, afterwards Lord Melville,



that barony by their extirpation. Nevertheless, in these unhappy times, the same is fallen into the hands of the English, and, except they favour him, the said laird of Halhill will lose of yearly rent four hundred bolls of bear, with the castle and gardens lying above the town.

2. Sir John Arnot, of *Bersick*,\* Provost of Edinburgh, Treasurer-depute under the Earl of Dunbar, conquest a good estate, viz., 200,000 merks, upon a comprising of Orkney and Zetland, of which sum his majesty made payment to him after the forfeiture of the said earl, to the end he might come to the possession of the said earldom of Orkney. He conquest also the baronies of Cockburnspath, and lands of Woodmill in Fife. To his eldest son, John, he gave the lands, and a great stock of money to his son James, a merchant, who, within a few years after his decease, by his cautionry for James Dalziel, made bankrupt of all, and fled the country.† His grandson John, son to the said John Arnot of Cockburnspath, sold the barony to Mr. James Nicolson, advocate: so that of all that estate and conquest nothing now remains but seven or eight chalders of victual, possessed by John Arnot his grandson.

3. Sir Gideon Murray, brother to the laird of Black-barony, was Treasurer-depute under the Earl of Somerset, but full Treasurer in effect. In his younger age he studied theology; but having unhappily killed a man called Aitchison, was for that slaughter imprisoned in the castle of Edinburgh, and, being a well-favoured youth, got favour from Captain James Stewart's lady, who then ruled all, and by her means was released, and got a remission. After that he was employed by the laird of Buccleuch to manage his estate, when he went

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was in 1550, at the instance of Archbishop Hamilton, and his relative, George Durie, Abbot of Dunfermline, charged with conducting a treasonable correspondence in England, and after a mock trial was condemned and executed. He was a zealous promoter of the Reformation.

\* A scion of the ancient house of Arnot of that ilk, Sir John Arnot, of Berswick, Orkney, was in 1587 chosen Lord Provost of Edinburgh for four years. In 1604 he was appointed Treasurer-depute of Scotland. Beside extensive possessions in Orkney, he acquired lands in the counties of Fife, Berwick, and Midlothian (Hugo Arnot's "MS. Genealogy of the Arnotts, in the Lyon Office").

† John Dalziel, merchant in Edinburgh, married a daughter of Sir John Arnot of Berswick. Consequent on his bankruptcy his brothers-in-law, William Arnot of Cockburnspath, and James Arnot of Granton, were obliged to sell their estates (Hugo Arnot's MS.).

to his travels in Italy; where he bettered his own estate in a good measure, and carried the laird's standard, with five hundred of the name of Scot, against my Lord Maxwell, where the said Lord Maxwell was killed: the which Lord Maxwell had invaded the laird of Johnstone, who was sister's son to the laird of Buccleuch, who had with him a great army.

Thereafter he lived a private man till the year 1613, or thereby, at which time he was advanced to be treasurer by his cousin the Earl of Somerset, which place he discharged notably, and not only repaired all the king's decayed houses, viz. Holyrood House, the castle of Edinburgh, Linlithgow, Stirling, Dunfermline, Falkland, and Dunbarton, but added to them all new great edifices, and had so much money in the king's coffers at King James VI.'s coming to Scotland in 1617, that therewith he defrayed the king's whole charges, and those of his court, during his abode in Scotland; whereby he was so well loved and respected of his majesty, that, when he went thereafter to the court of England, there being none in the bedchamber but the king, the said Sir Gideon and myself, Sir Gideon by chance letting his chevron fall to the ground, the king, although being both stiff and old, stooped down and gave him his glove, saying, "My predecessor, Queen Elizabeth, thought she did [a favour to any man who was speaking with her when she let her glove fall, that he might take it up and give it her again; but, sir, you may say a king lifted up your glove." Yet, for all that, within few years thereafter, all these services were forgot, and his majesty was induced to believe calumnies given in, in a paper, by Sir James Stewart, son to Captain James, who was afterwards styled Ochiltree; and being sent for to court, was challenged of sundry misdemeanours, and sent home as a prisoner, and a day appointed for his trial by such judges as the king should appoint: whereat he took such grief and sorrow of heart, that he took bed, and abstained absolutely from meat for many days, imagining that he had no money either to get meat or drink to himself, and that way died, after a fortnight's sickness, of abstinence. Yet his family stands, and his son, Sir Patrick, was made a lord of parliament by King Charles; but, by alliance of his son with the house of Traquair, he quitted the right side, and took him to the malignants, and shortly thereafter died. How the estate will thrive will be known in the third generation.\*

\* Sir Gideon Murray was some time chamberlain to his nephew, Sir Walter Scott, of Buccleuch. In the parliament which met at Edinburgh, in October,

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4. Sir Archibald Napier of Merchiston was the son of that learned Merchiston who wrote a Logarithmy, and a Commentary upon the Revelation. He was Treasurer-depute under the Earl of Mar, but augmented his estate noways in that time.

He obtained the favour of his majesty, after long service, of being a gentleman of the privy-chamber, but was, by the power of the Earl of Traquair, thrust out of that place, and behoved to accept a certain sum of money of composition for his kindness of the same. He was created a lord of parliament at that time; but thereafter both he and his eldest son, the master, who was sister's son to Montrose, having adhered to his party, was forced to fly: the father fled to the Highlands, where he died; and the son fled out of the country, who, being robbed of all his money in his way towards Paris, still lives there, and his lands are forfeited.\*

#### SECRETARIES.

1. Sir William Maitland of Lethington, Secretary,† albeit a man of good parts and learning, yet was he never fast nor solid in his ways; for sometimes was he for the congregation, and sometimes

1612, he was member for Selkirkshire. Sir Robert Ker, on being appointed Treasurer in 1613, nominated him Treasurer-depute. In November of the same year he was admitted a Lord of Session. He died on the 28th June, 1621. By his wife, Margaret Pentland, he had two sons and a daughter, Agnes, who married Sir William Scott, of Harden, eldest son of "The Flower of Yarrow." Sir Patrick, his elder son, was created a Baronet of Nova Scotia in 1628, and raised to the peerage as Lord Elibank in 1643 (Anderson's "Scottish Nation").

\* Sir Archibald Napier, as gentleman of the Privy Chamber, accompanied James VI. to London in 1603. He was constituted Treasurer-depute 21st October, 1622, and a Lord of Session in the following year. In March, 1627, he was created a Baronet of Nova Scotia, and was raised to the peerage as Baron Napier, of Merchiston, in May, 1627. On the outbreak of the Civil War he actively supported the cause of Charles I., and by the ruling party was subjected to imprisonment and heavy penalties. Liberated by his son, the master of Napier, after the battle of Kilsyth, he joined the Marquis of Montrose, and after the defeat at Philiphaugh, escaped with him into Athol. He there died in November, 1645. His son Archibald, second Lord Napier, died in Holland, in 1660.

† Our author's estimate of Secretary Maitland is entirely borne out by the testimony of contemporary writers. Totally destitute of principle, Maitland was foremost among the many unstable statesmen of his period. An early promoter of the Reformation, he resisted the designs of the Regent, Mary of Guise, to arrest its progress, and presided in the Parliament of 1560, which abolished Papal worship.

for the queen. The Earl of Murray, regent, for all that took him to England, and almost against his will ; thinking it unsafe to leave him behind him, being a factious man. And at that time was a letter of his intercepted, written to the queen, wherein he said " he might prove like the mouse that rid the lion of her snares ;" and the time that Murray and he were in York, he nightly met with the Queen of Scotland's ambassador. He was the firebrand of all the conjurations betwixt the Scots queen and the Lord Norfolk against Queen Elizabeth. And for that the Earl of Murray, by the accusation of one Crawford against him, as being art and part of the king's murder, sent him prisoner ; and being kept in a house near the castle by a number of horsemen, the laird of Grange, captain of the castle, by counterfeiting the regent's warrant, got him delivered to him by Alexander Home, captain of the said troop ; in which castle he was kept till the day on which he was summoned to answer ; at which day he got all the Hamiltons and the queen's party to assist him, so that the regent behaved to delay the diet till another time. A little after that, the regent being killed, he was again admitted to the council, and nothing was done in the queen's faction without his advice, albeit he was lying of the gout ; so that his chamber was called the school, and these his scholars.

When the ministers solicited him for leave to preach, he gave himself to the devil, if, after that day, he should regard what became of them, and bade them bark and blow as they listed.\*

His estate stood not long after his own death, but was taken from

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In 1562, to gratify Queen Mary, he promoted an impeachment against John Knox, which might have cost the Reformer his life. In 1566 he joined the conspiracy against Rizzio, and in the following year aided Bothwell in the murder of Darnley. He now joined the confederacy against Bothwell, and concurring in the Queen's dethronement, was present in July, 1567, at the coronation of the infant James. He aided the Queen's escape from Lochleven, and thereafter took part against her at Langside. One of the commissioners who accused her at York, he privately conspired with the Duke of Norfolk to effect her restoration to the throne. Attainted by Parliament in May, 1571, he was sheltered, by Kirkaldy of Grange, in Edinburgh Castle, but on its surrender in May, 1573, he was taken prisoner by the Regent Morton. He died in prison, on the 9th June, 1573. According to Calderwood, it was reported that he took poison.

\* Our author makes this statement on the authority of Calderwood, whom, however, he misquotes, since the words attributed to the Secretary were not expressed in answer to any address or solicitation presented to him, but after a sermon on

his son by Sir John Maitland, chancellor, without sums of money; and his son James behaved to quit Scotland, being a papist, and died at Brussels, having neither lands nor money, but what he begged of the Infanta there. This was foretold by Knox in his *History*, printed 1644,\* fol. 375, where he says, that, after a preaching which he had on Haggai, the said William Maitland said in mockage, "We may now forget ourselves, and bear the barrow to build the house of God." "God be merciful to the speaker," says Knox; "for we fear yet that he shall have experience that the building of his own house, the house of God being despised, shall not be so prosperous." And fol. 376, speaking of Lethington, he says "that he was fully assured, as he was assured that God lives, that some that heard this his defection against the truth and servants of God, should see a part of God's judgments poured forth upon the realm, and principally upon him that fastest cleaves to the favour of the court."†

2. Mr. John Lindsay, parson of Menmuir, a brother of the House of Edzel, was secretary to King James VI. in his majority, and one of the Octavians, who, for their council and strict dealing with the people, were so hateful, that the commonality of the town of Edinburgh, on the 17th day of December, 1597, rose in arms, when they were sitting in the session-house, to have killed him and the rest in the king's majesty's presence; but by his majesty's presence they were saved at that time, and the tumult pacified.

He was of good learning, but of a sickly body, and died in his middle age.‡

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hypocrisy, preached by Mr. Craig, John Knox's colleague (Calderwood's "*History of the Kirk of Scotland*," Edinburgh, 1871, 8vo., vol. ii. p. 249).

\* The edition of Knox's *History*, published at London in 1644, and reprinted at Edinburgh in the same year, was edited by David Buchanan. It is altogether worthless, many passages being omitted, and others interpolated, including those quoted by our author.

† After Maitland, of Lethington, Robert Pitcairn, commendator of Dunfermline, was secretary from 1572 till 1583. Sir John Maitland, of Thirlestane, was secretary in 1584, and both chancellor and secretary in 1587. Sir Richard Cockburn, of Clerkington, was secretary in 1591; he demitted in 1595.

‡ John Lindsay, styled "Parson of Menmuir," from his holding the teinds of that parish, was second son of Sir David Lindsay, of Edzell, ninth Earl of Crawford; he was born in 1552. He studied law, and in 1581 was appointed a Lord of Session, when he assumed the judicial title of Lord Menmuir. In January, 1595, he was appointed one of the Octavians, or eight commissioners of exche-

His conquests were not thought very lawful ; for having married the wife of umquhil Mr. David Borthwick, the king's advocate, and that way got the sight of the writs, he conquest the lands of Balcarras from David's son, being a spendthrift. His haill conquest was about threescore ten chalders of victual.

His son Sir David was made a lord of parliament,\* and his grandson Alexander, now Lord Balcarras, has been colonel of a regiment of horse in the late troubles ; but never did any service to the country, but fled at six battles, when Montrose overrun the land *in annis* 1643, 1644, and 1645 ; and, at King Charles II.'s command, his troops being sent to Inverkeithing were totally defeated by the English ; but himself then was employed as the king's commissioner to the General Assembly at Dundee, where he was sitting the time of the defeat *in anno* 1651. From thence he fled to the north, where he has hitherto remained : but what estate he shall leave to his posterity is yet unknown ; for *finis coronat opus*.

3. Mr. James Elphinston, brother to the Lord Elphinston,† was

quer. In May, 1596, he was nominated Secretary of State of life, but he resigned the office at the close of the following year. He died on the 3rd September, 1598, in his 47th year. Lord Menmuir was an able lawyer, a ripe scholar, and an accomplished statesman. His collection of letters and state papers are preserved in the Advocates Library (Lord Lindsay's "*Lives of the Lindsays*").

\* Sir David Lindsay (knighted in 1612) was devoted to literary and scientific studies, which he prosecuted at Balcarres, his family seat. In June, 1633, he was created Lord Lindsay, of Balcarres. He died in March, 1641. His eldest son, Alexander, second Lord Balcarres, was on the side of the Covenanters, present at the battles of Alford and Kilsyth. He joined the "engagement" of 1648, and afterwards vigorously supported the cause of Charles II. In 1651 he was created Earl of Balcarres, and nominated hereditary governor of Edinburgh Castle. He upheld the royal cause against Cromwell, but was defeated, and had his estates sequestered. He afterwards proceeded to France, and attended Charles II. as Secretary of State. He died at Breda on the 30th August, 1659. The poet Cowley composed his elegy. ("*Lives of the Lindsays*").

† Sir James Elphinstone, of Innernochtie, was third son of Robert, third Lord Elphinstone. He was appointed a Lord of Session in 1586, and one of the Octavians, or Commissioners of Exchequer, in 1595. In 1596 he became Secretary of State, and in 1604 was raised to the peerage by the title of Lord Balmerino. In 1599 he drew up a letter to the Pope, Clement VIII., entreating the dignity of Cardinal for his kinsman, Chisholme, Bishop of Vaison, and placing the document among other papers, surreptitiously procured to it the king's signature. The deceit was discovered in 1608, when Balmerino confessed his guilt. The proceedings subsequent to his confession are circumstantially related in the text. He died in his house at Balmerino in 1612.

one of the Octavians, and Secretary after the death of the said Mr. John Lindsay, a man of a notable spirit and great gifts, as he gave proof at his being in England as one of the commissioners for the treaty of union *in anno* 1605.

He was in such favour with King James, that he craved the reversion of Secretary Cecil's place, at the king's coming to the crown of England, which was the beginning of his overthrow; for the said Secretary Cecil wrought so, that having procured a letter which had come from King James, wherein he promised all kindness to the Roman see and pope, if his holiness would assist him to attain to the crown of England; this letter the said Secretary Cecil showed in the king's presence in the council of England; whereupon King James, fearing to displease the English nation, behoved to disclaim the penning of this letter, and lay the blame thereof on his secretary whom, a little before that, he had made Lord Balmerino; to whom he wrote to come to court; where being come, for exoneration of the king, he behoved to take on him the guilt of writing that letter. And therefore was he sent back to Scotland with the Earl of Dunbar as a prisoner, first to Edinburgh, with the people of which place he was little favoured, because he had acquired many lands about the town, as Restalrig, Barnetoun, and mills of Leith; so that James Henderson, the bailie, forced him to light off his horse at the foot of Leithwynd, albeit he had the rose in his leg and was very unable to walk, till he came to the prison-house. Some days thereafter he was accused of treason, and then sent prisoner to Falkland, and at last carried to St. Andrews, and there sentenced to want the head, but no time prefixed when.

Thereafter he got liberty to go to his own house of Balmerino, where, being a widower, he got an amatorious potion of cantharides from a maid in his house called Young (thereafter wife to Doctor Honeyman) of which he died.

He got the two abbacies of Balmerino and Cowpar erected into two temporal lordships by his majesty. His conquests were not thought good, neither of Balumbie nor Restalrig; for of the first he got the evidents from Balwearie, and having taken assignations to the debts, comprised the land, and got the heritor's gift of escheat and liferent, by that means came into possession. Yet his son, John, Lord Balmerino, moved in conscience, gave to James Lovall, son to Cunnoquhie, 10,000 merks. And, for Restalrig, it was vulgarly said,



that, at the laird's death, he was owing him a great sum of money; to be freed of the payment whereof he found means to get the said laird forfeited, as being an assistant in Gowrie's conspiracy; which was proven by one Sprott, a notary; and Sprott being condemned for other falsehoods, confessed that, with other things, before he was cast over the gallows; but *vox populi* said he had assurance that the Earl of Dunbar should have holden out a napkin to have saved him. But after his hanging, Restalrig's body was raised up and forfeited, and the gift of forfeiture given to the said Balmerino, whereby he was freed from payment of the said sum. The public report was, that after his decease he caused his body to be secretly in the night time thrown in the river Tay, that in case the State had insisted rigorously to go on against him, and forfeit him, they might not get it. But of this there is no certainty; for he had an honourable burial in the sight of several of the nobility and gentry.

His son John, Lord Balmerino,\* conquest Crailinghall from his brother-in-law, Sir James Ker, who all his days cried out thereupon, but never got redress. He died in *anno* 1633, that same day that the superiorities of kirk-livings, by act of parliament, were taken from the lords of erection, and made the king's, which he had stoutly opposed during all his life.

At his death he was buried in Restalrig's burial place, being a vaulted isle supported with pillars. And the English army, at their coming to Scotland in *anno* 1650, expecting to have found treasures in that place, hearing that there were lead coffins there, raised up his body and threw it on the street, because they could get no advantage or money where they expected so much; and it is said they vaunted that God made them instruments to punish that cruel fact of his late father, who had raised up the dead body of Restalrig to forfeit it.

The said John, Lord Balmerino, was also indicted of treason by the moyen of the bishops, who then ruled the State; and was de-

\* John, second Lord Balmerino, was restored in 1613, his father having died under attainder. Strongly attached to Presbyterianism, he opposed the Act of 1633, imposing apparel upon churchmen. A petition to Charles I. in opposition to the measure, interlined in Balmerino's hand, was, through the treachery of his lawyer, conveyed to the Archbishop of St. Andrews, who, hastening to London, laid it before the King. Sentenced to death as a traitor, he was rescued by the Earl of Traquair, who procured the royal pardon. In 1641 Lord Balmerino was nominated President of Parliament, sworn of the Privy Council, and appointed an extraordinary Lord of Session. He died on the 28th February, 1649.



tained long in the castle of Edinburgh, and condemned to have his head struck off at the cross of Edinburgh, for a paper alleged to have been penned by him prejudicial to his majesty; but King Charles remitted the fault, and restored him to his dignity. He left behind him one son, now lord, who very strangely was kept in life, seeing his mother was near fifty years old before she bore him, and got many potions from doctors, as having a tympany, never imagining she could have a child.

There is a great process in law\* depending betwixt the Earl of Bedford, who married his uncle Somerset's only daughter, and him, as heir to his father; and his standing or falling depends on the success of that process.

4. Mr. Thomas Hamilton, son to the good man of Priestfield, was secretary in Balmerino's place. His grandfather was a merchant at the West-bow in Edinburgh.†

\* His lawsuits resulted in his being compelled to dispose of nearly the whole of his landed property (Anderson's "Scottish Nation").

† Thomas Hamilton, first Earl of Haddington, was eldest son of Sir Thomas Hamilton, of Priestfield, a Lord of Session, and grandson, not of an Edinburgh merchant, but of Thomas Hamilton, of Orchardfield, who fell at the battle of Pinkie. He passed advocate in 1587, and in 1592 became a Lord of Session, under the title of Lord Drumcairn. He was promoted as President of the Court in 1616. In 1595 he was appointed one of the Octavians, or Commissioners of Exchequer, and Lord Advocate in the same year. He was constituted Master of Metals and Minerals in 1607, and Clerk-Register in 1612. The latter office he exchanged for that of Secretary of State. He became opulent to a proverb, having acquired from first to last twenty large estates. In 1613 he was ennobled as Lord Binning and Byres, and in 1619 was elevated to the peerage as Earl of Melrose, a title which he exchanged in 1627 for the earldom of Haddington. On resigning the presidentship and the Secretaryship in 1626, he was appointed Lord Privy Seal. He occupied a stately mansion in the Cowgate of Edinburgh, and was in consequence styled by James VI. "Tam o' the Cowgate." When James visited Scotland in 1619, he remarked to the President that people said he had gained his wealth by possessing the philosopher's stone. "Then it consists," replied the judge, "in these two maxims—never put off till to-morrow what can be done to-day, nor trust to another's hand what your own can execute." Lord Haddington was not more celebrated for his opulence than for his ingenuity and learning. His collection of MSS. and Charters are preserved in the Advocates Library. A portion of them has been printed, in two quarto volumes, by the Bannatyne Club, under the title, "State Papers and Miscellaneous Correspondence of Thomas, Earl of Melros." The Earl died on the 29th May, 1637, in his 74th year (Anderson's "Scottish Nation"; Chambers's "Traditions of Edinburgh").

He was the king's advocate and clerk-register before he was secretary, and one of the Octavians, very learned, but of a choleric constitution. He conquest a great estate. He was first made Earl of Melrose, and then changed his style to Haddington, not choosing to have his title from a kirk-living. He conquest nearly twenty score chalders of victual, for in his lands of Hilderston, near Linlithgōw, he got a silver mine, out of which having digged the best part, he then sold it to King James, and got for it £5,000 sterling.

He remained still in great credit till King Charles's time, in that year wherein the king altered the session, and removed therefrom all noblemen, and him among the rest: and he being at court, was challenged by his majesty, that he refused to be president of the council, which the king would have had him accept, and for that cause the king took from him the signet, and gave it to Sir William Alexander, then master of requests, of whom hereafter shall be spoken.

He survived that disaster but few years, and died in good time before he saw the calamities of his house: for his son Thomas, Earl of Haddington, at the beginning of these troubles, being in the house of Dunglass, sent thither by the parliament to have resisted the English incursions, was, by the means of his own chamber-boy, an Englishman, called Dick, with three or four score gentlemen more, miserably murdered, which was done by the firing of a vault full of powder, whereby all the house was blown in the air. With him there died many of his kindred and friends, as Sir John Hamilton of Redhouse, his cousin-german, Sir Alexander Hamilton, younger, of Innerwick, Robert Hamilton, his youngest brother, and Mr. Patrick Hamilton, his bastard brother.\*

His eldest son Thomas, having fallen in love with my Lord Chatilion's † daughter in France, married her, and brought her to

\* Thomas, second Earl of Haddington, was a zealous upholder of the Covenant. When General Leslie, in 1640, proceeded to England, Lord Haddington, being colonel of a regiment, was stationed at Dunglass Castle to watch the garrison at Berwick. On the 30th August, while in the court of the castle he was reading to several gentlemen a letter from General Leslie, the gunpowder magazine exploded, and one of the side walls being blown down, his lordship, with several of his auditors, perished in the ruins. The explosion, it is believed, was the result of an accident, and was not effected by treachery, as our too credulous author has affirmed.

† Thomas, third Earl of Haddington, married in August, 1643, Henrietta de Coligny, eldest daughter of Gaspard, Count de Coligny, a lady afterwards celebrated for her beauty and adventures. The Earl died of consumption in February, 1645, in his seventeenth year.

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Scotland, and within half a year after died hectic, and she returned home again. But by these two the house being greatly burdened with debt, his brother John, now Earl of Haddington, has been forced to sell many lands for the relief thereof, as the barony of Luffness, &c.

The first earl's second son, Sir James, had no better success in his affairs: for, in his absence in England with the duke his chief, his lady, the laird of Wauchtoun's daughter, was debauched, and got with child by Mr. Robert Menteith,\* now a Jesuit in Paris. The said Sir James had a considerable estate left him by his father, which is all sold and gone.

His third son, Sir John, having gotten in partage the barony of Trabroune, and great sums of money besides, by his riotous living dilapidated all, and he himself died, before his father's death.

His youngest son, Robert, and Mr. Patrick his brother, were smothered at Dunglass.

5. Sir William Alexander, of Menstrie, preferred to be secretary by King Charles, was first brought into court by Prince Henry and respected for his poesy, and the edition of his four tragedies and Doomsday. He travelled through Italy and France, with his lord-superior, the Earl of Argyle, where he attained to the French and Italian tongues.

He got great things from his majesty, as especially, a liberty to create a hundred Scotsmen knights-baronet, from every one of whom he got £200 sterling, or thereby, a liberty to coin base money, far under the value of the weight of copper, which brought great prejudice to the kingdom: at which time he built his great lodgings in Stirling, and put on the gate thereof, *Per mare, per terras*, which a merry man changed, *per metre, per turners*; meaning,

\* Robert Menteith, styled of Salmonet, was third son of an Edinburgh citizen, and a scion of the ancient house of Menteith. He was some time professor of philosophy in the University of Saumur. In 1630 he was ordained parish minister of Duddingston. Engaging in an illicit amour with the wife of Sir James Hamilton, of Priestfield, he fled the country, and on 7th October, 1633, was denounced rebel. He proceeded to Paris, and having joined the Romish Church, he obtained the patronage of Cardinal Richelieu. By the Cardinal de Retz he was admitted a canon of Notre-Dame. He composed a history of Great Britain in the French tongue, and other works (Dr. Scott's *Fasts*, Edin., 1866, 4to., vol. i. p. 110). The seduced gentlewoman, Dame Anna Hepburn, was remarkable for her personal charms (Harleian MSS., British Museum).

that he had attained to his estate by poesy, and that gift of base money.\*

He ventured greatly towards Nova Scotia and America, and sent his eldest son thither, where he lived a winter with three ships. He was of great expectations, and married the Earl of Angus's sister; but his distress and hardships in that voyage procured shortly his death.†

The king also honoured the father with the title of the earldom of Stirling. He got also a great sum of money from the King of France to quit his interest in Nova Scotia; but fell into great distaste with his

\* William Alexander, afterwards Earl of Stirling, was son of Alexander Alexander, of Menstry. He was born about 1580. His ancestors received the small estate of Menstry from the Earls of Argyle, who remained lords superior of the soil. With Archibald, seventh Earl of Argyle, he travelled in France, Spain, and Italy ("Argyle Papers," p. 19.; Edin., 1834, 4to.). From his numerous accomplishments, and his skill as a poet, he attracted the notice of James VI., who, on his accession to the English throne, took him to London. He was knighted in 1614, and made Master of Requests. By a charter dated 10th September, 1621, he obtained a grant of the territory of Nova Scotia. He was authorized to divide the lands into one hundred parcels, and dispose of them, along with the title of baronet. The privilege of issuing a coin of base metal was granted him. He was appointed Secretary of State in 1626, Keeper of the signet in 1627, a Commissioner of Exchequer in 1628, and an extraordinary Judge of the Court of Session in 1631. Having been raised to the peerage, he was created Earl of Stirling in June, 1633. He died at London in February, 1640. Sir William Alexander, Sir Robert Aytoun, and William Drummond, of Hawthornden, were the first Scottish poets who composed in English verse. In 1603 Alexander made his first poetical adventure by publishing at Edinburgh his "Tragedie of Darius," with a dedication to King James. In the following year he published at London "Aurora, containing the first fancies of the Author's youth," a collection of love sonnets, sextains, &c., dedicated to the Countess of Argyle. In 1607 he issued his "Monarchiche Tragedies." His "Recreations of the Muses," his latest poetical work, appeared in 1637. A collected edition of his "Poetical Works" is now in course of publication at Glasgow, to be completed in three elegant duodecimo volumes.

† Sir William Alexander, the younger, landed at Port Royal in 1629, and there remained till the following year. He effected a straggling settlement, and erected a fort on the west side of the haven (Granville), nearly opposite to Goat Island. But thirty of the Scottish settlers died during the winter, and proved a considerable discouragement (Preface by David Laing, LL.D., to the Earl of Stirling's Royal Letters, p. 98). Sir William Alexander the younger, on his father's elevation to the earldom of Stirling, assumed the courtesy title of Lord Alexander and Viscount Canada. He married Lady Margaret Douglas, eldest daughter of William, first Marquis of Douglas. He pre-deceased his father, having died at London on the 18th May, 1638 ("Earl of Stirling's Register" in the Advocates Library).

country; for his affection was carried towards the bishops, and the maintaining their cause.

He conquest, to his old heritage of Menstrie, the baronies of Tillicultrie and Gogar; all which were comprised from his heirs instantly after his decease; and of six or seven sons, none but one or two are remaining.\* The house of Menstrie was burnt by command of his superior, the Earl of Argyle, because his sons were favourers of James Graham and his party.

6. Sir Archibald Acheson, of Glencairny, conjunct secretary with the said Earl of Stirling, enjoyed the place but few years, and had no land in Scotland, but some four hundred pounds sterling in Ireland of the Earl of Tyrone's lands. His eldest son was of great expectation, having married a rich heiress in England. He died the first year of their marriage without issue.

Of his second wife, Sir William Hamilton's daughter, he had but one son, George; but his mother turned Papist after Sir Archibald's death, and said she had ventured her soul for an *Acheson*. He died of a pestilential fever; and it is thought that his son George shall get nothing of that estate, it being all destroyed by war in the late troubles.†

\* The Earl of Stirling was father of eight sons; William, afterwards Viscount Canada; Anthony, knighted at Whitehall 10th January, 1635, died 17th September, 1637; Henry, third earl, died August, 1644; John, died before 1645; Charles, Robert, died young; Ludovick, died before 1640; and James. Charles was eldest surviving son in 1645. James had a daughter baptized at Edinburgh in June, 1669 (Edinburgh Baptismal Register).

† Archibald Acheson, of Gosport, in the county of Haddington, obtained in 1611 a large grant of lands in the county of Armagh, and in the following year additional lands in the county of Cavan. In January, 1628, he was created a Baronet of Nova Scotia. He was successively Solicitor-General, a senator of the College of Justice, and conjunct Secretary of State for Scotland. He possessed a large and elegant mansion in the Canongate of Edinburgh, which still remains, presenting over the doorway a crest representing a cock mounted on a trumpet, with the motto, *VIGILANTIBUS*, and the date 1633. Over two upper windows are the letters S. A. A. and D. M. H., the initials of Sir Archibald and his wife Dame Margaret Hamilton (Chambers's "Traditions of Edinburgh"). Sir Archibald died at Letterkenny, county Donegal, Ireland, in 1634. He had two sons, Patrick, who succeeded him, and died in 1638, *s. p.*, and George, third baronet, and owner of the Irish estates when our author composed his work. A descendant and representative of the House was landlord of Swift at Market Hill, and is celebrated by the Dean in several of his poems. The Dean styles the baronet *Skinni-*

7. Sir Robert Spottiswood, second son to the Bishop of St. Andrews, and President of the College of Justice, having fled out of Scotland after the extermination of the bishops, attended on the court at Oxford, where being resident in 1644 (at that time when the Lord Lanark, prisoner in Oxford, by the means of Robert Land's brother, was carried out disguised in habit as his footman, through all the guards, and brought home to Scotland), had the favour of the king to be substituted in the said Lord Lanark's place, and made Secretary of Scotland, and got presently delivered to him the signet, wherewith all papers that passed that office were stamped, which signet he had in his pocket when he was sent home by his majesty to make friendship betwixt the Hamiltons and James Graham, that they might concur together to suppress the alleged rebellion of the subjects there; but being taken prisoner at Philiphaugh, he was condemned for treason by the Parliament of St. Andrews, *in anno* 1645, and beheaded there, and the signet given back to the said Earl of Arran.\*

8. William, Earl of Lanark, only brother to James, Marquis of Hamilton, Secretary for some years; in whose person, seeing that family is likely to end, it seems not unfit here shortly to set down, as well what is recorded of them in history as what has happened since remarkable among them.

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*bonia, Lean, or Snipe*, as his humour moved him. In one of his poems he thus refers to the Scottish Secretary:—

“ Sir Archibald, that valorous knight,  
The lord of all the fruitful plain,  
Would come and listen with delight,  
For he was fond of rural strain :

“ Sir Archibald, whose favourite name  
Shall stand for ages on record,  
By Scottish bards of highest fame,  
Wise Hawthornden and Stirling's lord.”

The great-grandson of the Secretary was created Earl of Gosford in 1806, and the earl's grandson was in 1847 raised to the British peerage as Baron Acheson.

\* Sir Robert Spottiswood was an eminent lawyer, and author of “The Practicks of the Law of Scotland.” He was appointed President of the Court of Session in November, 1633. On account of his strong attachment to Episcopacy, he was in 1637 obliged to retire into England. In 1645 he was appointed by Charles I. Secretary of State for Scotland.

It had its beginning in the time of K. Robert Bruce, and the first of that name \* fled from England for killing one of the Spensers, a favourite of the King of England, of whom before he had been wounded for praising the valour of the said king. The said Robert Bruce bestowed on him many lands in Clydesdale, which he entitled Hamilton, after his name. Thereafter he got sundry lands from the Earl of Douglas, and became his follower,† and was sent by him, in King James II.'s time, after the killing of his brother in Stirling with the king's own hand, for refusing to break the league betwixt the Earls of Crawford and Ross,‡ back to Stirling, after the said earl had caused trail the king's great seal at a horse's tail through the town, and from him got orders to burn the said town, which he did.

Then was he sent by the said earl to England, to incite the king to raise war against Scotland, who refused, except the earl would acknowledge himself to be a subject of England; and at his return, he gave council to the said earl to fight a battle with the king, and either there to win honestly, or die gloriously. And because the earl was unwilling to put all to the hazard of one battle, at the raising of the siege of Abercorn, he left the said earl's part, and went in to the king; thus betraying his friend and benefactor.§

\* Some authors call him Gilbert Hamilton, but Buchanan, who tells the story, does not mention his name; he says, only, that his posterity having attained to a high degree, gave their name to their lands. (*Vide* "Buch. Hist.," lib. 8, sec. 49.) And neither the men nor the lands seem to have borne the name of Hamilton for very many years after Robert Bruce's death.—*Goodal*.

† This gentleman's name was James Hamilton of Cadyow, Kt.—*Goodal*.

‡ This was a league entered into by them, offensive and defensive, against all the world, to the friends and confederates of each other; and Douglas being very obnoxious for his other lawless actions, King James II., at a private interview with him in the castle of Stirling, in February, 1452, intreated him, among other things, to dissolve this league, which Douglas refusing, the king, thereat exasperated, replied, "If you will not break it I will," and immediately killed him.—*Goodal*.

§ This behaviour of the Hamiltons is by some imputed to the secret management of that wise and good prelate, Bishop Kennedy, who had allured him with the promise, not only of his remission, but of the king's favour, if he would leave Douglas's party. Others allege that Hamilton, upon Douglas delaying to fight the king's army when they offered, imputed it to cowardice, or to a design to protract the war; and, after expostulating with him, carried off his men and joined the king, and the rest followed his example, so that Douglas and the friends who adhered to him were forced to fly, and retire to England.—*Goodal*.



They became great by the fall of the Boyds, in 1470. For Robert, Lord Boyd,\* being forfeited for alleged taking away the king, James III., from the Exchequer in Linlithgow, and carrying him to Edinburgh contrary to his will (whereof he had a fair approbation in parliament as good service, but wanted the extract of the same, when challenged for it, and could not get it out of the register, by reason of the power of his enemies, albeit at this day it stands therein),† his brother, Mr. Alexander, was headed in Edinburgh, my lord himself fled to England, and there died. His son, Thomas, Lord Boyd,‡ being then ambassador in Denmark, and having to his wife the king's eldest sister,§ not daring to return for fear of his life, and coming near land, was persuaded by her to go back; whom she accompanied, and staid divers years in Flanders, till some from her brother persuaded her that she could be the only person that could make friendship. In that hope she being sent home to Scotland, was urged by the king her brother to quit him, after they had caused cite him upon sixty days to adhere, and for his contumacy recovering a decreet of divorcement, forced his said sister to marry James Hamilton,|| and gave him the Isle of Arran,¶ and many lands which pertained to the said Lord Boyd.

\* Buchanan says that Robert, Lord Boyd, was Chancellor, but Mr. Crawford, in his lives of the Officers of State, alleges, from apparently good reasons, that he never was Chancellor, and that Andrew Stewart, Lord Evandale, was Chancellor at this period.—*Goodal*.

† The king of his own accord declared in Parliament that, what Lord Boyd had done was not of himself, but at the king's own desire, and what he esteemed good service, and more worthy of reward than censure, which he offered to confirm by a decree of the States, which was immediately made, and registered on the 18th of October, 1468, and an extract made out, and confirmed by letters patent under the Great Seal. It is not clear upon what account this pardon did not operate an absolver to the Boyds; whether it was owing to their being refused an extract, or the privilege of the record on the trial, and so could not plead it before the Parliament, or that it was pleaded and judged ineffectual. Buchanan insinuates the last, and imputes it to an evasive distinction suggested by priestcraft. (Buch. Hist. lib. 12, sec. 29.)—*Goodal*.

‡ He was then Earl of Arran.

§ Her name was Mary Stuart.

|| This was the son of that James Hamilton of Cadyow, Kt., who deserted the Earl of Douglas. He was at this time styled Lord Hamilton. Some allege Boyd was dead before that marriage.—*Goodal*.

¶ He did not get Arran till the year 1503, and was then made Lord Arran.—*Goodal*.



James, Earl of Arran, in hatred of the Douglasses, whose followers they had been of old, having assisted the Laird of Fernihirst against them *in anno* 1517, came to Edinburgh, and there invading the Earl of Angus in the streets, was beaten and forced to fly over the North-loch, having had his brother killed with seventy-two more.\*

Yet was his friendship so inconsistent, that in 1526, after the said Earl of Angus's return from France, being then hated of the queen, his wife, mother to King James V., the Lord Hamilton agreed with the said Earl of Angus, and entered in strict friendship, that they two † might keep King James V. in their power till his majority; whereat the young king being grieved exceedingly, wrote to the Laird of Buccleuch to relieve him out of their hands; whereupon followed the battle of Melrose, where the Laird of Cessford, one of the Douglasses party, was killed.

Thereafter, when the Earl of Lennox, at the king's command, gathered the nobility to Stirling, and was coming to Edinburgh to relieve the king, the Hamiltons joined with the Douglasses at Linlithgow, and killed the said Earl of Lennox,‡ who was his own sister's son.

After that field of Linlithgow, the Earl of Arran having summoned the Earl of Cassilis before the justice, for being at the field against the king, and yet underhand having sent him word, that if he would give him his bond of Manrent, he should be absolved; and the said earl having sent him back word,§ that in a bond of mutual friendship made betwixt their forefathers, the Earl of Cassilis was first placed

\* This happened on the 30th of April, 1520, according to Buchanan; but Pitscottie says it was in May, 1515.—*Goodal*.

† They were not the only persons, for Argyle and Lennox were conjoined with them, and all four declared tutors and guardians of the king and the realm. But the Earl of Angus soon assumed the whole power into his own hands, and ruled the king as he pleased.—*Goodal*.

‡ He was killed by James Hamilton, bastard son to the Earl of Arran, and it is said in cold blood, after he was taken, much wounded, and in the custody of the Laird of Pardovan.—*Goodal*.

§ The Earl of Cassilis's answer, which is very lamely told by our author, was that, as in the old league betwixt their families, his family had always had the preference, and was first named, he would not so far degenerate from the glory of his ancestors, as to come under the patronage of a family, whose chief, in an equal alliance, had been content with the second place.—*Goodal*.

in the writ, and that he had the king's own hand-writ for his being at that field; he was thereupon for that time dismissed. But in his going home, he was treacherously murdered by the Sheriff of Ayr by the council of James Hamilton, the earl's bastard son. Wherein may appear the notable ingratitude of that family to the house of Cassilis, whose predecessor, in King James III.'s time, was the author of the Boyds' forfeiture, and of bringing them into court, only upon that reason, that Alexander Boyd, the king's teacher, and lord's brother, broke Bishop Kennedy's head at Linlithgow with a bow.

They strove what in them lay to impede the king's marriage with France, and hindered the conference craved by Henry VIII., the King's uncle, with James V., wherein was offered his daughter in marriage, and to make him King of all the isle of Britain, and presently to make him Duke of York, and so next person to the Crown.\*

The said King James V., being reconciled with James, Lord Hamilton, who slew the Earl of Lennox, he took him with him to France when he went to seek his wife; and having been overtaken at sea with a storm, the said James counselled the mariners to take the king back again to Scotland when he was asleep, wherewith he was grievously offended.

James Hamilton, the Earl of Arran's base brother, who was in extreme great credit with King James V., and from him got new arms given him by the king's patent, yet standing in the register, being accused by James Hamilton, Sheriff of Linlithgow, of certain crimes, namely, that he on a certain day was to break up the king's chamber, and there to have murdered him, was for that offence beheaded in Edinburgh, and his quarters put on divers parts of the town.

When the nobility and the estates had placed the Earl of Arran in the room of Cardinal Beaton, who, by a counterfeit testament,† had got himself made tutor to the queen, he professed himself to be a

\* The family of Hamilton were strongly induced to this by the hopes of their succession to the crown, being nearest heirs, failing heirs of King James V., as descended of Mary, sister to James III.—*Goodal*.

† See the history of this testament, as related by Pitscottie, p. 323 of his History, which is very different from what Buchanan says of it, *lib.* 15, of his hist. *ab initio*, and in his admonition to the true lords, &c., p. 16, where he expressly calls it a forged deed or instrument.—*Goodal*.

lover of the reformed religion; his government not as yet, says Buchanan, kything the dulness and sottishness of his engine.\*

Eight days after K. James V.'s death, the Earl of Arran having convened the nobility, in that meeting the cardinal and his faction opposed him, and did dispute against the government and sovereignty of one man, and especially of any called Hamilton. For who knows not, said he, that the Hamiltons are cruel murderers, oppressors of innocents, cruel and false, and finally the pestilence of the commonwealth? Whereunto the earl answered, "Defraud me not of my right, and call me what you please; whatsoever my friends have done, yet none has cause to complain of me."

Buchanan and Knox both agree that that James Hamilton the viceroy was a bastard, and by law could neither have right to the heritage of that family, nor title to the crown. For his father's first married wife was Elizabeth Home, sister to the Lord Home. His second wife was of the name of Beaton, niece to James, Bishop of St. Andrews, whom he married, the said Elizabeth being yet in life; and his grandfather was the son of Mary Stuart, who bore him when her lawful husband, Thomas Lord Boyd, was yet in life.

By evil counsel he refused to deliver to the English ambassador the pledges promised to the kingdom of England,† and suppressed

\* Buchanan's words are, *Ipse quoque libellos, qui controversias de religione continebant, libenter lectilabat, & vita superioris quies, procul ab aulica ambitione remota, spem animi modesti & temperantis multis faciebat, magistratu nondum torporem & socordiam ingenii delegente*, lib. 15. But what credit should be given to Buchanan (whom our author follows for the most part implicitly) in what he says of this family of Hamilton, may be judged from what another historian has recorded of him; "That being provoked by an injury which a servant of the Duke of Chatelrault's youngest son did him, of which he thought he got not sufficient reparation, and carrying a spite to them, because he thought they adhered to the queen's interest, he wrote of that family with the most impudent and virulent malice that was possible" (Bishop Burnet, in the Preface to his "Memoirs of the Dukes of Hamilton").—*Goodal*.

† In the year 1543 a treaty had been concluded with England, for the marriage of the son of Henry VIII. with Queen Mary, then a child, and hostages were agreed to be delivered for security of the performance. This treaty was vigorously opposed by Cardinal Beaton and the queen-mother, and such commotion afterwards raised by their intrigues as put it out of the regent's power to deliver the hostages as stipulated. This, and the personal affronts offered to the English ambassador, occasioned a war betwixt the two nations, which lasted a considerable while, during which the battle of Pinkie was fought, in September, 1547, and the English possessed Haddington, and many of the forts in the country, till the year 1549.—*Goodal*.

a letter, then sent by the governor of the English army, desiring only that their young queen should not be contracted in marriage to any foreign prince, till she was of age to give her own consent thereto; whereupon followed that unhappy field of Pinkie, wherein was shed so much Scots blood.

The said governor, after the Earl of Lennox's home-coming to Scotland in hopes of marrying the queen-regent, to oppose him and strengthen his own faction, stirred up the Earl of Bothwell to be a suitor to the queen-regent, and openly himself changed his religion in the Greyfriars kirk.

He caused strike off the head of the laird of Raith, by the counsel of the bishops, only for writing a letter to an Englishman, recommending a friend to him; and having forfeited him, gave his lands to David, his youngest son.\*

When he agreed with the King of France to quit the government to the queen-regent, he swore solemnly that he should render to her all the household stuff belonging to King James V.; yet twelve years after that, at the field of Langside, there was much of the same stuff found in his house, proving his perjury.†

The Earl of Bothwell having offered to my Lord Arran to kill James, Earl of Murray,‡ the governor's son revealed it to Murray, for which his father imprisoned him, and for grief thereof he became furious.

After the queen's marriage with Lord Darnley,—Hamilton, Argyle, Murray, Glencairn, and Rothes, to show their discontent thereat, went all to Argyle; at which time the king and queen went west to cast down Hamilton; and the Lord Hamilton's friends, advising what was fit to be done, concluded that both king and queen behoved to be killed, and put off the way, or else, said he, "there will never be peace:" telling them that injuries done to princes were only ex-

\* See *supra*.

† The charge of perjury rests on the authority of Buchanan.

‡ Let the reader compare Buchanan's Hist., lib. 19, § 29, and his Admonition, &c. with Knox's Hist., lib. 4, p. 308, and he will perceive how unjust this charge is. Knox, who, from the account he gives of it, appears to have had much greater access to know the matter than Buchanan, ascribes the whole to a wild fancy in the frantic head of the Earl of Arran; and says that he himself advised the Earl of Murray to lay no great stress to it; and that his opinion was confirmed by Arran's frenzy increasing, during which he declared that he was enchanted so to think and write.—*Goodal*.

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tinguished by their deaths. But Murray and Glencairn, knowing that that was spoken for his own interest, he being nearest to the crown, abhorred so bloody a counsel, and opposed it.

When the queen was informed that the Lord Darnley, her husband, intended to fly to France or Spain, and a ship lying ready at the mouth of Clyde, she with the Lord Hamilton and his friends, went to Glasgow to hinder his flight, and when they made him condescend to go back to Edinburgh, there he was strangled by Bothwell in the kirk of field, the Bishop of St. Andrews being in his brother's lodging hard by, which now is the College of Edinburgh; and so soon as the blow was given it was remarked that the lights were put out, and they went to bed: in which lodging the bishop was never accustomed to dwell before, but in the town.\*

By the said earl's command and direction the Earl of Murray was killed in Linlithgow by David Hamilton of Bothwellhaugh, who before was condemned for treason and pardoned by the said earl.†

Anno 1571, the queen's faction made the raid of Stirling; there they took the hail nobility who were of the king's party in their beds. One of the chief leaders was David Hamilton, whose counsel was, that all the noblemen should be killed so soon as they were out of the ports;‡ but by sixteen musketeers of the Earl of Mar's that went into the new work, standing in the head of the market-place, they were all chased out of the town; and many surrendered themselves to them who before were their prisoners. In this conflict the Earl of Lennox was murdered in cold blood.§

The said James, Earl of Arran, then styled Duke of Chatelrault,

\* Buchanan.

† James, not David Hamilton, of Bothwellhaugh, was excited to hostility against the Regent Murray on account of severities with which he had been visited by the latter for having fought in the cause of Queen Mary at Langside. The accusation preferred against the Earl of Arran, in connexion with the regent's death, seems to be entirely unfounded.

‡ This is very improbable. Sir James Melvil, in his *Memoirs*, p. 217, says expressly that they had all engaged, before they left Edinburgh, not to kill one man.—*Goodal*.

§ Lennox had surrendered, and was in the custody of Sir David Spence, when the party were surprised by Mar's musketeers, and obliged to fly and abandon their victory; and in this confusion he was wounded by some of them, no doubt out of rage and disappointment. Spence endeavoured to save him, but to no purpose, and he himself was immediately cut to pieces.—*Goodal*.

died in *anno* 1579, in Poitiers,\* and left four sons, James, Earl of Arran, John, Claude, and David. The last three were all frantic,† as many since of that family have been, viz., Edward Maxwell, son to Elspeth Hamilton, a daughter of Innerwick's, who, for striking of Archibald Hamilton at the board with a whinger, alleging that he saw the devil in him, lay many years in bonds in his own house of Maulslie, and his brother, Sir James, got the lands totally dilapidated. The Lord Evandale, who leaped in a hot limekiln, and said, if hell was no hotter he would endure it. Francis Hamilton, brother to the late Earl of Abercorn, having been furious at his majority, died in the Chartreuse-monks monastery at Paris. And that Lord Abercorn's sister's grandson, the Lord Seton, the first night of his marriage threw a chamber-pot in his wife's bosom, and lay in fetters till he died; and Sir William Seton, of the same degree with the former, would needs have the sword from the king wherewith he knighted him, and has still been frantic since. Also Alexander Hamilton, son to Sir John of Ettrick, a bastard of the house, his son, now Lord Bargeny's brother, was mad. And Francis Hamilton, son to Silverton-hill, lineally descended of that house lived long distracted in Edinburgh, ever complaining in judicatories that a lady had bewitched him, and never recovered thereof till he died of the pest in Edinburgh.

The secretary's grandfather, the first Marquis of Hamilton, respected much Sir John of Ettrick, his base son, and was so charitable to all the bastards of that family, and all others who alleged themselves to be descended of them, that, when any woman brought a child to the gates, he directed them to place them in his kitchen, and call them all Hamiltons in the devil's name.

James, Marquis of Hamilton, the secretary's father, lived all his time in England, and by King James was once employed as viceroy to a parliament in 1621, which is yet called the Black Parliament. For at the conclusion and rising of the same by the three estates, such a horrible tempest and thunder fell in the midst of summer,

\* Crawford states that he died at his own palace of Hamilton on the 22nd January, 1575.

† James, the eldest son, was insane, and after the forfeiture of his brethren, Captain James Stewart was made his tutor. And notwithstanding his being mad, he also was soon after forfeited by Morton, and his estate, together with the title of Earl of Arran, given to Captain Stewart, who afterwards became chancellor.—*Goodal*.

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that the like was never seen.\* In his middle age he was poisoned by a lady whom he had slighted.

He it was that had the chief hand in begging from the king all the kirk-livings in 1606, which were annexed to the crown before in 1587, whereby the crown lost a third of its rents; and he and his friends got among them Aberbrothoc, Paisley, Manuel, Bothwell, Haddington, Melrose, and Lesmahago.

He married his base sister to John Hamilton, whom he procured to be made Lord Belhaven, who, in *anno* 1653, was swallowed up in Solway sands, horse and all, and never seen again.

The secretary's eldest brother, James, Marquis of Hamilton, was in as great favour with King Charles as his father was with King James, and was master of his horses, and a chief counsellor. It was he who advised the king to grant to the estates of England triennial parliaments, and the militia.

He got from the king a grant of the customs of Scotland for divers years, contrary to the laws, being of great value; † and also a gift of two of the hundred, whereby, by causing dash out a word, *free*, by Sir John Hay, Clerk-Register, in the first printed Act, he evicted from the subjects above 800,000 merks Scots; for no lent money in the kingdom was free from payment of that two in the hundred, albeit the meaning of the estates in making the said Act was, that only free money should pay, the owners thereof not being addebted in sums of money to others; I say, such only should have paid two of the hundred, which infinitely harmed the lieges. ‡

\* This was the 4th August, 1621. It was interpreted by the Puritans as a visible sign of God's anger, for ratifying the five articles concluded in the Assembly at Perth.—*Goodal*.

† James, second Marquis of Hamilton, died at Whitehall, London, on the 2nd March, 1625, at the age of thirty-six. The Duke of Buckingham, with whom he was at variance, was reported to have poisoned him, and his body being examined by three physicians, two declared that there were no traces of poison, while a third, Dr. Eglisbam, maintained that there were, and ascribed the crime to Buckingham. For this expression of his opinion he was obliged to seek refuge in Flanders.

‡ The author is much mistaken in his account of this matter. For, 1st, the marquis had not the gift of the customs, and that of the two pounds in the hundred, or more properly two pounds of ten of the annual rents then by law payable for £100 of principal, both at one time: for the king, when in Scotland in 1633, being informed by Traquair, then treasurer-depute, that these customs were the readiest and surest money the king had, and that the treasury would signify little without



He was most unfortunate in his foreign expeditions ; for being sent to Germany with an army by the king, he lost the same totally by pest and famine.\* No better success had his naval army that was sent against Scotland in 1638.† His last expedition was the worst of all, viz., the unhappy engagement against England, which, by his friendship and led votes, he carried through parliament, contrary to the will of the honest party ; which has been the chief ground of the English invasion, and overthrow of this land ; and being leader in chief of that powerful army at Preston, was defeated by a small number of English ; and when the king heard by Mr. Halyburton that he was leader of the forces, he said he would never get good by him, seeing he was unfortunate ; and though after his imprisonment

them, was prevailed on to cause the marquis exchange them for the other, to reimburse him of the charge he had been at in his German expedition. 2ndly, the fraud imputed to the marquis and the Clerk-Register seems without foundation ; for it appears from the printed Act imposing this duty, that the legal interest which at that time was 10 per cent, was reduced to 8, but not to take place for three years ; and thereby neither the borrower nor the lender was hurt, the first being only for three years kept from the benefit which he was thereafter to enjoy, and in the meantime paid no more than he was formerly obliged to ; and the lender got what the wisdom of the nation thought sufficient for the use of his money. And the marquis afterwards accounting for the surplus to the Lords of Exchequer and Session, after discounting his own claims, removes all suspicion of this sort." —*Goodal*.

\* The Elector Palatine, who married K. Charles's sister, having been elected King of Bohemia, was soon dispossessed of his royalty by the House of Austria, and had applied to K. James, and, after his death, to K. Charles, for assistance. But as he did not think it convenient for himself to appear openly in the cause, he pitched upon the Marquis of Hamilton, who warmly espoused the prince's quarrel, to levy forces within the kingdom as of himself ; which in summer, 1631, he carried to Germany, to the number of 6,000, and joined Gustavus Adolphus of Sweden, who supported the interest of the Palatine. But that part of the country which had been the seat of the war was entirely wasted, and provisions very scarce ; and the plague having also attacked his small army, it was soon totally ruined : and having got no new supply, nor being properly supported by the King of Sweden, he relinquished that enterprise, and returned, bringing few or none back with him.—*Goodal*.

† This was in the beginning of the war between the King and the Covenanters. The Covenanters having first commenced hostilities, the king came down to York with an army by land, and, at the same time, the marquis came down to the Frith with a fleet and 5,000 men, and he continued there till he went to attend the king then near Berwick, where a pacification was concluded.—*Goodal*.



at London he had escaped, yet was he again taken,\* arraigned as an English nobleman, and beheaded at Westminster,† a year or two after he was made duke;‡ which title, Buchanan says, is fatal to all Scotsmen.

His brother Lord William, thereafter styled Earl of Lanark, was secretary from the death of the Earl of Stirling till he was thrust out by the parliament for the cause of the engagement;§ and had so great credit with the king his master, that he obtained a warrant to all the writers of seals, director of the chancellery, and chancellor, not to suffer anything to pass their hands, which was not attested by him as well as the king.

He returned from Holland when King Charles II. came home to get the crown, and had so great respect with him, that he moved all the churchmen, the General Assembly and statesmen, to accept of him as a special convert; and so accompanying his Majesty with his army to Worcester, he was there grievously wounded, of which he shortly thereafter died.||

9. Sir William Ker, the only son of Sir Robert Ker of Ancrum, by his father's means and credit at court, being a gentleman of King James VI.'s bedchamber, with the help and assistance of his cousin

\* He had escaped from Windsor, where he was imprisoned, but was taken again that same night in Southwark.—*Goodal*.

† He was arraigned as Earl of Cambridge (which title had been conferred upon his father by King James) for invading England in a hostile manner, and levying war to assist the king against the kingdom and people of England. And though the defence which he pleaded was certainly good, viz., that he had acted at the command and by the authority of the Parliament of Scotland, of which nation he was born a subject before his father's naturalization in England, and so an alien of that kingdom, and not triable there, and that he had surrendered to Lambert upon a capitulation, whereby his life was secured; he was notwithstanding condemned, and was beheaded, 9th March, 1648-9.—*Goodal*.

‡ He was created a duke in 1643.—*Goodal*.

§ He was made secretary in the year 1640, when he was but twenty-four years of age, and in the year 1641 was confirmed in that office by the parliament, when they resolved that the king should employ none as officers of state without their consent. He continued till the year 1644, when he and his brother, the duke, were imprisoned at Oxford on account of the jealousies then entertained of them; at which time Sir Robert Spottiswood was appointed by the king. After Sir Robert's execution, he was replaced again by the parliament, and continued till he was turned out by them for his concern in the engagement, which then went under the name of THE UNLAWFUL ENGAGEMENT.—*Goodal*.

|| 12th September, 1652.

the Earl of Somerset, minion to King James, from goodman of Ancrum attained to the marriage of the eldest daughter of the house of Lothian, and thereafter to be secretary when the Earl of Lanark fell ; and was expelled for malignancy.

His grandfather William Ker was shot in Edinburgh behind his back by the late Earl of Roxburgh, when he was a young man, and laird of Cessford, for some private quarrel ;\* and his father Sir Robert was thereafter made Earl of Ancrum, at King Charles I.'s coming to Scotland, in 1633, who being provoked to combat by Charles Maxwell, brother to James Maxwell, gentleman usher, killed the said Charles at the market-fields, and behoved to go to Holland till he was reconciled to the party, and then returned to his place, and got a remission, and married the Earl of Derby's sister, who for assisting Charles II. was beheaded at Bolton, the 15th of October, 1651.

That heretrix of Lothian, whom Sir William married, was eldest daughter to Robert, Earl of Lothian, eldest son to Mark, commendator of Newbottle, a cadet of the house of Cessford,† who got that abbacy erected into a temporal lordship by King James VI. about the time of his going to England. And the father and son did so metamorphose the buildings, that it cannot be known that ever it did belong to the church, by reason of the fair new fabric and stately edifices built thereon ; except only that the old name and walls of

\* There had been a long and old emulation betwixt the two families of Cessford and Fernihirst, for the Wardenship of the Middle Marches, and the Provostry of Jedburgh. But Fernihirst being then deceased, and the heir left young, this gentleman, William Ker of Ancrum, as descended of that house, did what he could to maintain the reputation of it, which was an eyesore to the other. And some time before, this gentleman, in the trial of goods stolen from England, was so vigilant as to discover the thief, who was one of Cessford's followers, and, when it was denied, to bring clear testimony of it before the council ; which was taken to be done out of spleen, and to rub some infamy upon Cessford, who was then warden. This the Lady Cessford, a woman of a haughty spirit, highly resented, and moved her son, then very young, to murder Ancrum, which he did in the year 1591. His death was much lamented, he being a wise and courageous gentleman, and expert beyond most men in the laws and customs of the borders ; which, and the manner of his death, exasperated the king, who resolved to use exemplary justice on the actor. But he having escaped, after some months' absence, was pardoned, upon satisfaction made to Ancrum's children, and as was thought by the intercession of Chancellor Maitland, who afterwards married him to his niece, a daughter of William Maitland, the secretary.—*Goodal*.

† It should be Fernihirst.

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the precinct stands ; but instead of the old monks has succeeded the deer.

The said Mark, the lady's grandfather, was master of requests to King James VI.,\* and had by his wife, the Lord Herries's sister, thirty-one children ; and, not satisfied with her, was much inclined to lasciviousness, and was not free of the crime of adultery. His lady kept always in her company wise women, or witches, and especially one Margaret Nues (*F. Inner*), who fostered his daughter, the Lady Borthwick, who was long after his death burnt in Edinburgh for that crime ; and my Lady Lothian's son-in-law, Sir Alexander Hamilton, told one of his friends, how one night lying in Prestongrange, pertaining to the said abbacy of Newbottle, he was pulled out of his bed by the said witches, and sore beaten ; of which injury when he complained to his mother-in-law, and assured her he would complain thereof to the council, she pacified him by giving him a purse-full of gold. That lady thereafter, being vexed with a cancer in her breast, implored the help of a notable warlock, by a by-name called Playfair, who condescended to heal her, but with condition that the sore should fall on them that she loved best ; whereunto she agreeing did convalesce, but the Earl her husband found the boil in his throat, of which he died shortly thereafter ; and the said Playfair, being soon apprehended, was made prisoner in Dalkeith steeple, and having confessed that and much more wickedness to Mr. Archibald Simson, minister there, and that confession coming to the ears of Robert, Earl of Lothian, my lord's son, he had moyen to get some persons admitted to speak with the prisoner in the night, by which means he was found worried in the morning, and the point of his breeches knit about his neck ; but never more inquiry was made who had done the deed.

The said Robert, Earl of Lothian, father-in-law to the said secretary, married the Marquis of Argyle's sister, a woman of a masculine spirit, but highland-faced ; yet so much given to her own contentment, that she kept in the house a young gentleman called William Douglas of Tofts, the grandson of James, Earl of Morton, a man of a brave personage, and of a notable spirit ; which was very scandalous, and much talked of in the country ; especially seeing her husband the said Earl, in a morning, was found lying in his own

\* From 1578 to 1597.

chamber with his throat cut, never man knowing who was the author of that wicked deed.

By his decease his eldest daughter attained to the right of the earldom, and, by her, her husband the said Sir William. Her other sister shortly thereafter left the kingdom, being much slandered for incontinency, and is now in Holland in a boor's house, teaching children.

The lady her mother went to France a few years after her husband's death, where she yet lives ; and the said William Douglas to Holland, where shortly thereafter he was killed at a siege.

This Earl of Lothian was colonel of a regiment, which was totally defeated by James Graham at Alderney, and many of his kindred and friends there perished.\*

He was sent by the estates of Scotland to France to seek help there, and, at his return, was imprisoned by King Charles in Pendennis Castle, but was relieved by the credit of the Earl of Traquair, and got leave to return to Scotland.

His next voyage was to bring home Charles II., with others of the nobility ; whose return has not had the success expected by the kingdom of Scotland. Since which time, three others of the domestic servants of that family have put violent hands to themselves by hanging ; two in the month of March, and the last in May, 1662. The last of them, called Andrew Learmont, was servant to young Sir William, my lord's second son.

#### LORDS PRIVY SEAL.

1. Sir Richard Maitland, of Lethington, was keeper of the Privy Seal in the queen regent's time, and a counsellor and Lord of the Session.†

\* May, 1645.

† Sir Richard Maitland was born in 1496 ; he studied philosophy at St. Andrews, and law in France. After occupying different public offices about the court, he was, in March, 1551, appointed an extraordinary Lord of Session, and ten years afterwards a lord ordinary, by the title of Lord Lethington. In December, 1562, he was nominated Lord Privy Seal, but resigned the office in 1567 in favour of his second son, John, afterwards Lord Maitland, of Thirlestane. He resigned his seat on the bench in 1584 in favour of Sir Lewis Bellenden, of Auchnoull. He died on the 20th March, 1586, aged ninety. For nearly thirty years he was afflicted with blindness. He collected the Decisions of the Court of Session, made a valuable collection of ancient Scottish poetry, and composed a history of the House of Seton. The last work and his own poems have been printed for the Bannatyne Club.

He is highly taxed by Knox in his chronicle, for taking a sum of money to let loose the cardinal, when he was prisoner at Seton.\*

He lived to a good age in these places, and what success his family had will be found in the life of Chancellor Maitland, who, being tutor to his brother's son, James Maitland, because he was a Papist, got the right to his lands.

2. Mr. George Buchanan was instructor in learning to King James VI. in his youth. He is so renowned by his works extant to the world in prose and verse, that it were superfluous to speak or write anything of him in this catalogue of statesmen.

For the reward of his good services, he got first the office of Director of the Chancellery, and then was made Keeper of the Privy Seal in his old age; but of both these places he reaped little or no advantage. He left neither lands nor sums of money to his successors. He was never married.

He was in so great disgust with the State before he died, that they caused summon him before them sitting in council, for some passages too plain in his chronicle of the king's mother and grandmother; and he had undoubtedly run greater hazard of his life, if the Lord had not freed him from the miseries of this world betwixt the citation and the day of his compearance. He told the messenger who summoned him, he was to compear before a higher judge, which so fell out. Yet was his chronicle prohibited to be printed, which none of them could get hindered, seeing it has been many times reprinted in Germany, and is extant in all the famous libraries in Europe.†

\* Cardinal Beaton, on account of his opposition to the English treaty, was imprisoned at Seton by the Estates. According to John Knox (*History*, i., 97; *Edinb.*, 1846), he was liberated through bribes given to Maitland and Lord Seton. The cardinal's release forms the subject of a letter of Sir Ralph Sadler. No blame is imputed to Maitland. (*Sir R. Sadler's State Papers*, i., p. 136. *Edinb.*, 1809, 4to.)

† George Buchanan was born at Killearn, Stirlingshire, in February, 1506. Having studied the classics in Paris, and philosophy at St. Andrews, he imbibed the doctrines of Luther, and became a keen supporter of the Reformation. His poem on the Franciscan Friars appeared in 1538; he was in the following year subjected to imprisonment by Cardinal Beaton, but effected his escape. He became Professor of Latin at Bourdeaux; he subsequently proceeded to Portugal, where he officiated as a professor in the University of Coimbra. As an upholder

3. Sir Richard Cockburn, of Clerkington, by the moyen of his grandfather, Sir Richard Maitland, was made Keeper of the Privy Seal, which place he enjoyed above thirty years, till he died, with all the remanent privileges that his grandfather had, viz., a lord of council, session, and exchequer. But these never augmented his estate in any sort, nor conquest he either land or heritage whatsoever. Only he left one son, now laird of Clerkington; what success he shall have will be known in process of time.\*

4. Thomas, Earl of Haddington, after he had been the King's Advocate and Clerk Register, was made Privy Seal, in imitation of the English; for thereby he got precedency of all the nobility. But he liked better to be secretary, being the more profitable place. Of his success therein was written before.†

5. Robert, Earl of Roxburgh,‡ had the place of Privy Seal

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of the Protestant doctrines, he was thrown into the dungeons of the Inquisition, where he remained eighteen months. After some changes he returned to Scotland in 1560, when he became classical tutor to Queen Mary. In 1566 he was appointed Principal of St. Leonard's College, St. Andrews, and in the following year was, though a layman, elected Moderator of the General Assembly. In 1570 he was appointed preceptor to the young king, and was nominated Director of the Chancery. Some time afterwards he was chosen Lord Privy Seal, with a seat in Parliament. His great work, the History of Scotland, occupied the last twelve years of his life; it was completed only within a month of his decease. He died at Edinburgh on the 28th September, 1582, at the age of seventy-six. Sir John Scot's relation as to his being summoned before the council to answer for some passages in his History, is unsupported by contemporary evidence. In May, 1584, an Act of Parliament was passed finding that his History and treatise *de jure regni* contained certain passages which ought to be deleted. There was no other interference with the publication of his works. After Buchanan, Walter, Commendator of Blantyre, was Privy Seal, from 1513 till February, 1595, when he demitted. To him succeeded Sir Richard Cockburn, who died in 1626.

\* Sir Richard Cockburn was son of Sir John Cockburn, and his wife Helen, daughter of Sir Richard Maitland of Lethington. He was appointed Secretary of State in April, 1591, and in November of the same year was admitted a Lord of Session. When the Octavians obtained power he was forced to exchange with John Lindsay, of Balcarres, his post of secretary for that of Lord Privy Seal. He died in 1626.—*Anderson's Scottish Nation*.

† See *supra*.

‡ Sir Robert Ker, created Earl of Roxburgh 18th September, 1616, was born about 1570. He was one of twelve gentlemen knighted at the coronation of Queen Anne of Denmark in 1590. He accompanied James VI. to London in 1603. He was chosen one of the Lords of the Articles in the parliament of 1621; in the

bestowed upon him in his old age, albeit his first journey on horseback, in the year 1585, was at the raid of Stirling; at which time he had on a jack, being about fifteen years of age: thither he went, with others of the nobility, to rescue the king out of the hands of these courtiers, who then had his ear.

His family rose, from the style of Andrew Ker of Altounburne in King James III.'s time, to be lairds of Cessford, for their good services done at the siege of Roxburgh. And he himself was made Earl by King James VI. after his going to England.

He had a son of great expectation with his first wife, Lethington's daughter, who died in —, and another son, begotten of Lady Jean Drummond, called Harie Lord Ker, who being married, by the unruly government of his youth shortly died without heirs male: so that the father behoved to tailzie the estate to another family; and pretermittin the house of Newbottle, who was really the nearest of blood to him, for causes known to himself, he made choice of his grandson by his daughter, third son to the Earl of Perth, whom he appointed to marry the eldest daughter of his son, and to assume the name of Ker. He had no learning, albeit all writs directed to him, as Lord Privy Seal, are in Latin. He was thrust out of the place divers years \* before his death, and declared an enemy to the country by Act of Parliament.

#### CLERKS OF REGISTER.

##### 1. Thomas Marjoribanks,† of Ratho, was Clerk Register in 1553,

same parliament he voted for the confirmation of the Five Articles of Perth. In 1637 he was appointed Lord Privy Seal; he was deprived of that office by the Estates in 1649, consequent on his supporting the ill-fated "engagement" of the preceding year. He died on the 18th January, 1650, in his eightieth year. Lord Roxburgh was thrice married. By his first wife, a daughter of Sir William Maitland of Lethington, he had a son, Lord William Ker, who died in 1618, and three daughters. By his second wife, a daughter of the third Lord Drummond, he had one son, styled Lord Ker after his brother's death; he also predeceased his father. Lord Roxburgh married, thirdly, Lady Isobel Douglas, fifth daughter of the second Earl of Morton, without issue.

\* Not "divers years;" just eleven months elapsed between Lord Roxburgh's deprivation of office in February, 1649, and his death in January, 1650.

† On the institution of the Court of Session in 1532, Thomas Marjoribanks was one of ten advocates selected to plead before the Lords. Conjointly with Dr. Gladstones, he was appointed Advocate for the Poor in March, 1535. He acquired the

and that land, and what he then acquired lasted no longer than the third generation ; for his grandson John sold all to the queen's tailor, Mr. Duncan, some twenty years ago.

2. Mr. James Balfour, thereafter Sir James,\* succeeded in the place of Mr. James Scot, Dictator of the Rolls, and one of the Clerks of Session in *anno* 1560.

He first professed himself to be for religion ; but, as Knox says fol. 82, he quitted the same, and said it was no marvel, being come of the house of Monquhannie ; for in them, he says, was neither fear of God, nor love of virtue, farther than the present commodity persuaded them.

He was one of those that were taken by the French galleys out of the castle of St. Andrews after the slaughter of the cardinal, and was carried prisoner to France, and returned to Scotland out of

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lands of Ratho in September, 1540. In the same year he was chosen Lord Provost of Edinburgh, and commissioner from the city to the Estates. He was admitted a Lord of Session, and appointed Clerk Register in February, 1549 ; he was deprived of the latter office in 1554, on the charge of having falsified a warrant. — *Anderson's Scottish Nation*.

\* This celebrated Clerk Register was son of Sir Michael Balfour of Mountquhannie, Fifeshire. His brother David was one of the assassins of Cardinal Beaton ; he joined the conspirators in the castle of St. Andrews, and on its surrender in June, 1547, was carried to France in the same galley with John Knox. On his return to Scotland in 1549 he abandoned his former friends, and is believed to have returned to the Romish faith. His perversity is severely censured by Knox. Among those who publicly embraced the Protestant doctrines in the castle of St. Andrews, the Reformer writes, "was he that now eyther rewillis, or ellis misrewillis Scotland, to wit, Schir James Balfour (sometimes called Maister James), the cheaf and principall Protestant that there was to be found in this realme. This we wryte, becaus we have heard that the said Maister James alledgeis that he was never of this our religioun, but that he was brought up in Martine's (Luther's) opinioun of the sacrament, and tharefor he can nott communicat with us. But his awin conscience and two hundreth witness besyde, know that he lyes ; and that he was one of the cheaff (yf he had not been after Coppis) that wold have given his lyef, yf men mycht credite his wordis, for defence of the doctriu that the said Johnne Knox tawght. But albeit that those that never war of us (as none of Monquhanye's sones have schawin thame selfis to be) departe from us, it is no great wonder ; for it is propir and naturall that the children follow the father ; and lest the godly levar of that rase and progeny be schawin for yf in thame be eather fear of God, or luif of vertew, farther then the present commoditie persuades thame, men of judgement ar deceived." (Knox's History, Edinb., 1846, 8vo., vol. i., p. 202.)

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France in 1550. He calls him blasphemous Balfour, now called Clerk Register, in 1566.

In 1559, the said Mr. James sent his boy with a letter out of Leith, to advertise the queen's party of all that the congregation did; and is tainted likewise by Buchanan for revealing to those of the congregation, the sending out of the castle of Edinburgh the queen's silver box to the Earl of Bothwell, and to have advertised those of the king's faction to apprehend it; wherein were all the secrets of the queen's marriage, and love-letters to Bothwell.

He also it was who was the death of the Earl of Morton, and produced the contract wherein it was resolved to kill the king.\* And being captain of the castle of Edinburgh, by the means of Sir Robert Melvill, he agreed with Morton to surrender the same to him, and got for the doing thereof the lands of Strathkinness and Ballone, which his successors brook to this day only by that title.

He was first styled parson of Flisk, then Prior of Pittenweem, being one of the lords of the spiritual side.

How he attained to be Laird of Burleigh, whether by marriage or conquest, I am not yet informed; † but it is sure Sir Michael Balfour, his son, having but one daughter, behaved, for the great

\* In 1559 Balfour gave active support to the Queen Regent against the Lords of the Congregation. About 1560 he was appointed parson of Flisk. In November, 1561, he was nominated an Extraordinary Lord of Session by the title of Lord Pittendriech; in 1563 he was appointed an ordinary lord. He was sworn of the Privy Council in July, 1565. On the night of Rizzio's murder he was with Queen Mary at Holyrood; he was knighted by the queen on the 25th March, 1566, and appointed Clerk Register. He was a main instrument in accomplishing the death of Lord Darnley. In 1567 he was appointed Deputy Keeper of Edinburgh Castle and Lord President of the Court of Session. The story of his conspiring to allow the silver casket containing Queen Mary's letters to fall into the hands of the confederated lords is related by Buchanan (*Hist.*, L. xviii., p. 51). On Queen Mary's imprisonment he attached himself to the Regent Murray, and was present at Langside in opposition to his benefactress. (*Melvill's Memoirs*, p. 202.) On the assassination of the Regent Lennox in 1570, he returned to the queen's party; in 1572 he made his peace with the Regent Morton, but joined the enemies of that nobleman in 1578. At Morton's trial he produced the celebrated bond, subscribed by him and others, for the support of Bothwell after Darnley's murder. Balfour died about 1584. He is the supposed author of the collection of Decisions known as "Balfour's Practicks."

† Sir James Balfour married Margaret, only child and heiress of Michael Balfour, of Burleigh, county of Kinross.

burden of debt he was in, to contract her with Robert Arnot's eldest son, who was depute-comptroller; who undertook to pay the whole burdens of the house, and quitted the name of Arnot, and took on him the name of Balfour; and yet the first year of their marriage there was evil agreement. Her son of that marriage, at his return from France, without the father's consent, took to wife at London the daughter of Sir William Balfour, of Pitcullo, sometime captain of the Tower of London; whereat the father was so incensed, that he did what in him lay to get the marriage dissolved by the General Assembly, in respect there was no copulation, because the young man had a wound open on him, which he had got in France some time before the marriage. Yet, within a year thereafter, the young folks agreed and came together, who as yet had no favourable countenance of the father; whether he shall again accept them in kindness is not known. But he has married one of his daughters to his brother's son, of intention, as many think, to dispoise his estate to them in prejudice of his said son.

3. Mr. James Macgill, of Rankeillor-nether,\* was a man of good learning. He accompanied the Earl of Murray in sundry embassies to England, and has very good commendations, by all the writers, of his honesty and fidelity in all his employments; yet has his son disposed the best barony of land that he conquest, viz., Pinkie, four miles from Edinburgh, which he sold thirty years ago to the Earl of Dunfermline, and contents himself with the lands of Old Lindores and Rankeillor in Fife.

After his decease, King James could hardly find a fit person to make clerk-register, in respect that Robert Scot,† eldest clerk of session, to whom the place by right was due, refused the same,

\* Descended from a Galloway family of the name, Sir James Makgill purchased the estate of Nether Rankeillor, Fifeshire, and of Pinkie, near Edinburgh. Educated for the law, he was appointed Clerk Register in June, 1554. During the same year he was admitted a Lord of Session by the judicial title of Lord Rankeillor. He was sworn a member of the Privy Council in 1561. Being implicated in the murder of Rizzio, he was deprived of his Clerk-Registership in 1566; but the office was through favour of the Regent Murray restored to him in the following year. In 1568 he attended the regent at York to conduct the accusation against Queen Mary; he was an ambassador at the court of Elizabeth in 1571 and 1572. In 1578 he and George Buchanan were chosen extraordinary members of the Privy Council. He died in 1579. Sir James Makgill was an esteemed friend of John Knox.

† See Memoir of Sir John Scot, at the commencement of this volume.

telling his Majesty "that upon no terms he would be a lord:" whereupon, by the Earl of Mar's moyen, Alexander Hay,\* clerk of the Council, was preferred; and because the said Robert Scot voluntarily consented to his admission, the said Alexander Hay resigned his place of Director of the Chancellery in 1577; which place the said Robert and his successors have enjoyed, by his son and grandson, till the year 1651. This Alexander Hay died clerk-register, but conquest little or no land; but a fair house in Edinburgh, which was sold to Mr. John Dawling by his son Sir Alexander Hay.

4. Sir John Skene† succeeded to be clerk-register after Alexander Hay; and was preferred to the place by the moyen of my Lord Blantyre, his brother-in-law; for their wives were two sisters.

He was well skilled in the laws before he was advanced to that place, and got a sole gift for printing the Acts of Parliament and *Regiam majestatem*; by which means he acquired a great deal of money from the country; for all heritors of lands were obliged to buy them: but it did little good; for albeit he lived many years in the place, yet did he purchase but few lands, only he bought Currie Hill and Ravelrig, of no great value; all which were sold by his son Sir James.

He resigned his place to his said son in his old age: but Haddington, by his power, forced his son Sir James to resign the same in his favour, and got him made an ordinary Lord of the Session, which place Sir James brooked till his death, and was made President of the Session by King Charles. But being of a generous

\* Alexander Hay, descended from the old family of Hay, of Park, became Clerk of the Privy Council in March, 1564. He was afterwards appointed Director of the Chancery, an office which he resigned in 1577 for that of Clerk Register. In the same year he was made an Ordinary Lord of Session, and assumed the judicial title of Lord Easter Kennet. In 1589 he attended James VI. to Denmark as interim Secretary of State. He died 19th September, 1594.

† Sir John Skene was born in 1549; he studied at the Universities of Aberdeen and St. Andrews, and afterwards travelled in Denmark, Norway, and Sweden. Studying law, he passed advocate in March, 1575. He accompanied James VI. to Norway in 1589, and in 1591 was sent as ambassador to the States-General. In 1594 he was appointed Clerk Register, and in the same year was admitted an ordinary Lord of Session, when he assumed the judicial title of Lord Curriehill. In 1596 he was appointed one of the Octavians, or eight Commissioners of Exchequer. He was commissioned to edit and print the laws of the realm, which he satisfactorily accomplished. He died in March, 1612.

disposition, and having small means, he behoved to sell and dispose all, both in town and country, for defraying of his debts.

Sir John's four daughters had little better success; only Sir William Scot's wife, who got nothing by her father, had best success. But the other three, one of them married to Robert Learmont, advocate, the second to my Lord Fosterseat, and the third to Sir Robert Richardson of Pentcaitland, their sons have dispoined all their father's lands, and nothing is left thereof at this day.

5. Sir Alexander Hay attained to his father's place of Clerk-register, \* but was not learned, neither came he ever to any estate of lands.

One remarkable thing he did, viz., having found amongst his father's writs a bond of Sir William Scott, uncle to Sir John Scot, Director of the Chancellary, whereby he obliged himself, at Sir John's attaining to the age of twenty-one years, to resign the office of Director of the Chancellary and Clerkship in his favour, which he had brooked as tutor during all the said Sir John's minority; but, instead of delivering the same to Sir John, as was designed to have been given him by his grandfather, he gave it to Mr. Robert Williamson, who was the said Sir William Scott's servant, and he put it in the fire that it might never come to light: but God, the protector of orphans, revenged the injury in a strange way; for the said Mr. Robert, in his sister's house, Archibald Law's wife, being sickly, and left alone, fell in the fire in an apoplexy, and burnt his head and hands before any came near him. This bond was written by Adam Lawtie, writer, and subscribed by Sir William, Adam Cowpar, Clerk to the Bills, and Mr. Robert Williamson, witnesses, and was given by umquhile Robert Scot in keeping to the said Sir Alexander's father.

Sir Alexander, his son, brooks a piece of land he got of his uncle, called Monkton. His daughter was married to the Laird of Kilspindie, who, finding her barren, took other women, and she got a divorcement of him for that cause.

6. Sir John Hamilton, † brother to the Earl of Haddington, was

\* The Earl of Haddington succeeded Sir John Skene in May, 1612, but demitted in October following, when he was appointed Secretary of State. Sir Alexander Hay received the office of Register 30th July, 1612. He was previously a Lord of Session, by the title of Lord Newton.

† Sir George Hay, afterwards Lord High Chancellor, was admitted Clerk

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preferred to that place of clerk-register by the credit of the Marquis of Hamilton and his brother.

He was a good man, but void of learning; and never conquest anything to his posterity. He had no heirs-male; and of what his daughters had, I think little or nothing is left to their posterity; and his lands, called Magdalen's, are also disposed since his decease to one Dundas.

7. Sir John Hay\* was Town-clerk of Edinburgh, and was advanced by the king and queen when the Bishop of St. Andrews was in credit with his Majesty. He was also made provost of Edinburgh, and undertook stoutly to cause the ministers of Edinburgh accept of the Service Book in the churches there. But there being a mutiny in the town, and the bishops chased down the streets for attempting that rash enterprise, he was forced to quit the town, and fly to England, where he joined himself to James Graham, and, at the battle of Philiphaugh, was taken prisoner, and likely to have suffered death, if he had not been freed by the means of the Earl of Callander, whose lady was his kinswoman, and of his son, Mr. William, who advanced £500 *sterl.* to some of the officers for his relief. He has lurked ever since privately, and never conquest any lands, but a poor piece in Galloway, called the Land.

8. Sir Alexander Gibson, of Durie,† having been long a Clerk of

Register 26th March, 1616; he was succeeded by Sir John Hamilton 27th July, 1622, who was also admitted an ordinary Lord of Session under the title of Lord Magdalens. He was deprived of his Judgeship in 1626, consequent on a resolution of Charles II. that no officer of state should sit in the Court of Session. On the 2nd November, 1630, he was admitted an extraordinary Lord of Session. (Brunton and Haig, 269.) He died at Holyrood House, 28th November, 1632.

\* Sir John Hay was descended from a younger brother of Sir David Hay, of Yester, ancestor of the noble family of Tweeddale. He delivered a Latin address to James VI. on his visit to Edinburgh in 1617, which is preserved in the "Muses' Welcome." He was knighted by Charles I. in March, 1632, and in the following January was nominated Clerk Register and a Lord of Session. He strongly urged the introduction of the Service Book in 1637, and was in consequence obliged to seek personal safety in England. Returning to Scotland, he was accused of treason and imprisoned in Edinburgh Castle. Captured on the field of Philiphaugh, he escaped the scaffold by having, as was believed, bribed the Earl of Lanark with the rents of his estate. He died on the 20th November, 1654.

† Sir Alexander Gibson was appointed one of the Clerks of Session, 25th July, 1632; he was nominated Clerk Register 13th November, 1641. He resisted the

Session, was made Clerk-Register when the king came last to Scotland, by the moyen of William Murray, now Earl of Dysart; to whom it is said he gave a velvet cassock, lined with fine furrings, and a thousand double pieces therein.

He was very well skilled to be a judge; but, within a few years, having gone to England to the engagement with the Marquis of Hamilton, he was thrust from the place, and has lived since that time a private man.

9. Sir Archibald Johnston was both Advocate and Clerk-Register successively; \* yet here he is insert in this short catalogue by the

introduction of the Service Book in 1638, and was much opposed to the bishops. As Clerk of Parliament he refused to read the royal warrant proroguing Parliament in November, 1639. In the following year he was appointed Commissary-General of the forces raised against the king. He was admitted a Lord of Session 2nd July, 1646, but having joined "the engagement" he was deprived by the Act of Classes in 1649. In August, 1652, he was elected one of the Scottish Commissioners to attend the Parliament of England. He died in June, 1656. Sir Alexander was eldest son of Sir Alexander Gibson, Baronet, Lord Durie, an eminent lawyer, and author of "*Durie's Practicks*," a valuable collection of Decisions in Scottish Law. ("*Balfour's Annals*," II., 276, 293, 298.—Brunton and Haig, 317.)

\* Sir Archibald Johnston was son of James Johnston, of Beirholm, Dumfriesshire, formerly a merchant in Edinburgh, by his wife, Elizabeth, daughter of the celebrated Sir Thomas Craig. He passed advocate in 1633. Having zealously attached himself to the Presbyterian cause, he prepared jointly with the Earl of Rothes the supplication against innovations presented to the Privy Council in September, 1637. Along with Alexander Henderson he revised the Covenant, which was renewed in March, 1638. He was chosen clerk to the famous General Assembly which met at Glasgow in that year. He was one of the commissioners who negotiated the treaty of Berwick. By Charles I. in 1641 he was knighted and appointed an ordinary Lord of Session, with a pension of £200 a year. He represented the county of Edinburgh in the Estates of Parliament in 1643, and in the following year was chosen a commissioner to attend the English Parliament, and the Assembly of Divines at Westminster. In 1646 he was appointed Lord Advocate; in that capacity he proclaimed Charles II. as King in February, 1649. In March of the same year he succeeded Sir Alexander Gibson as Clerk Register. Subsequent to the battle of Dunbar in 1650 he lived in retirement till 1657, when being persuaded to go to London, he received from Cromwell restoration to his office of Clerk Register, and was by the Protector created Lord Warriston, and appointed a commissioner for the Administration of Justice in Scotland. At the Restoration an order was issued for his apprehension, but having received timely notice he escaped to Hamburg. He was outlawed 10th October, 1661, and a reward offered for his apprehension. In 1662 he proceeded to Rouen, in France, for the sake of his health. He was there seized by authority of Charles I.

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style of Clerk of Register, being his last place, and most honourable in the state. For, as for that first of the king's advocate, he attained to it without craving it from the king; but having, for £1,000 *sterl.* got Sir Thomas Hope's demission, he was accepted in the place by the Parliament, which he did for helping on of his daughter's marriage; and finding himself weak in body, and not very acceptable to the Parliament, not remembering these lines of his grandfather, Mr. Thomas Craig, lib. 2 *de feudis*. *Qui ad honores juridicos pretio perveniunt, pretio etiam eos vendere oportet.*

When he came to be Clerk Register, albeit he possessed great sincerity in religion, and for that was in great credit, yet he admitted sundry to be Clerks of the Session under him, who before had been deprived by the Parliament for malignancy, such as Mr. William Hay and his cousin, Sir John Gibson, for sums of money given to his lady; and when his place was declared void at the incoming of the English, as all other offices were, fearing to be challenged for that by those whom he had wronged, he transacted of new again with them, and gave them a part of their money back again that they might be silent, and not complain. But in these five or six years wherein he was an officer, he conquest no lands but Warriston, of the avail of 1,000 merks *Scots* a year, where he now lives freed of trouble of state or country.

\* He was the last Clerk Register, and a Lord of the Session; and being in England, was taken prisoner, and sent home to Scotland. and for the crimes contained in his dittay was publicly executed to death at Edinburgh at the market cross, *anno* 1663.

#### JUSTICE-CLERKS.

1. Mr. Richard Lawson, justice-clerk, conquest a good estate about Edinburgh, near the Burrow-loch, and the barony of Boighall, which his grandson, Sir William Lawson, of Boighall, dilapidated and sold; he went to Holland to the wars.

and being brought to London was consigned to the Tower. He was afterwards sent to Edinburgh, and was condemned to death by the Parliament. He was hanged at the Cross of Edinburgh on the 22nd July, 1663. On the scaffold he conducted himself with entire self-possession.

\* This paragraph appears, from the close of the last, to have been added by the author some years afterwards. — *Goodal.*



2. Thomas, Sir John, and Sir Lewis Ballantyne, grandfather, father, and son, were all successively, after others, justice-clerks;\* but Sir John made the conquests, and left to his eldest son, Sir Lewis, a fair estate, viz., the barony of Broughton, with the superiority of the Canongate, and North-leith, having therein near two thousand vassals; the baronies of Achnoul, Woodhouslie, Abbot's Grange, and many others. And to the eldest son of the third marriage he left the barony of Carlowrie, and Kilconquhar in Fife, and divers lands about Brechin.

Sir Lewis was a Lord of the Session, Council, and Exchequer; but, by curiosity, he dealt with a warlock, called Richard Graham,† to raise the devil, who having raised him in his own yard in the Canongate, he was thereby so terrified, that he took sickness and thereof died. And having left his lady, sister to the Lord Livingston, a great conjunct-fee, the Earl of Orkney married her, and, after some years, having moved her to sell her conjunct-fee lands, and having disposed of all the moneys of the same, sent her back to the Canon-gate, where she lived divers years very miserably, and there died in extreme poverty.

\* Thomas Bannatyne, or Bellenden, of Auchinoul, was in June, 1535, appointed an Ordinary Judge in the Court of Session. In 1538 he was nominated Director of Chancery, and in 1539 was raised to the office of Justice-Clerk. He died in 1546. On the 20th June, 1547, the elder of his two sons, Sir John Bellenden of Auchinoul, was appointed Justice-Clerk, and about the same time an Ordinary Lord of Session. By Mary of Guise Sir John was appointed to act as mediator between her and the lords of the congregation; he afterwards attached himself to the latter. He was sworn of the Privy Council in 1561. He was implicated in the murder of Rizzio, but becoming reconciled to the queen, he gave countenance to her union with Bothwell. He afterwards joined the association against the queen, and became a counsellor and friend of the Regent Murray. Indirectly he was the cause of the Regent's death by procuring a pardon for Hamilton of Bothwellhaugh for some crime which endangered his life. In 1573 he took part in arranging the pacification of Perth. He died in 1577. By Sir Lewis Bellenden, his eldest son, he was succeeded in the office of Justice-Clerk. Sir Lewis was concerned in the Raid of Ruthven, but escaped punishment. In 1584 he was appointed an Ordinary Lord of Session. He had a principal share in the downfall of Arran in 1585, and accompanied James VI. on his matrimonial expedition to Norway in 1589. He died in August, 1591. (Brunton and Haig, 57, 91, 194.)

† Richard Graham, the wizard, was one of those with whom the Earl of Bothwell was accused of consulting in regard to the life of the king. (Melville's Memoirs, 353.)



Sir Lewis's eldest son, Sir James, sold the haill lands to his uncle, the Earl of Roxburgh, and he to the town of Edinburgh.

The other brother, the laird of Kilconquhar, sporting himself on the loch in a boat, was there drowned; and his only son dying young, Mr. Adam, his uncle, succeeded to the land, who was Bishop of Dunblane, and sold the same lands to Sir John Carstairs, being a little before expelled the kingdom with the rest of the bishops, by Act of Parliament.

3. Sir John Cockburn, of Ormiston, attained next to that place,\* having married Sir Lewis's half-sister, the goodwife of Humbie, whose only son of her first marriage, Sir James Lawson, running his horse at full speed on the sands near Aberdeen, sunk, horse and all, and was never seen again.

His two sons, Mr. John and James Cockburn, were greatly subject to drunkenness and companionry. His grandson died young, but sold the barony of Paistoun, and a number of lands about Lammermuir, called the Hairhead; and left only the lands of Ormiston to his son, greatly engaged, who was in a way to have recovered that broken estate by the help of his father-in-law, Sir Adam Hepburn, of Humbie, if they had not been both taken prisoners by the English at Elicht, and carried to London in 1651.

4. Sir George Elphinston, of Blythswood, justice-clerk, was in his youth in great credit with King James VI., and lay in bed with him many years; but was discouraged by the means of Sir George Home, before the King's going to England. Thereafter he lived a private life in his old age; at which time King Charles made him justice-clerk, which he brooked till his dying day,† but had as little good luck as the rest; for his burden of debts was so great that his son's tutors behoved to sell the lands immediately after his death, which were worth 10,000 merks per annum. He left only one son behind him, who had two thumbs on each hand.

5. Sir John Hamilton, of Orbiston, succeeded him in that place: ‡

\* Sir John Cockburn, of Ormiston, was admitted an Extraordinary Lord of Session 4th July, 1588, and was appointed Justice-Clerk in 1591. He was one of the commissioners who proceeded to England, in 1604, to treat of the union, then projected. He died in June, 1623. ("Balfour's Annals," II., 97. Brunton and Haig, 217.)

† He was Justice Clerk from 1625 till 1633.

‡ Sir James Carmichael succeeded to Sir George Elphinston in 1634, and in

he conquest the barony of Areskine; but being a malignant, and a follower of his chief, the Duke of Hamilton, he lost thereby all his places, by Act of Parliament in 1648.

#### KING'S ADVOCATES.

1. Mr. Robert Crichton, advocate,\* left a fair estate behind him, viz., the barony of Eliok and Cluny, to his son Sir Robert Crichton, of Cluny. But after he had killed the laird of Moncoffer, in revenge of the Earl of Murray's slaughter, at the chapel of Eglismaly, he had never good success in his affairs.

His eldest brother James,† as Manutius says, was a miracle of nature, seeing he could forget nothing; but he was killed by the young Duke of Mantua, whom he attended, coming out from the duke's mistress; and by that means Sir Robert fell to be laird, but has sold all the lands in his own time, and at this day no memory is left of them.

He was descended, as all thereafter of that name were, from the house of the Lord Crichton, who was Chancellor in King James II's

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1637 was made Treasurer Depute; and Sir John Hamilton succeeded to Carmichael.—*Goodal*.

\* Robert Crichton, of Eliock, was appointed Lord Advocate, conjointly with John Spens, of Condie, in February, 1560. After the death of the Regent Murray, Queen Mary requested Crichton to visit her in England, but he was kept from going by the Regent Lennox. In 1581 he was raised to the Bench. He died in June, 1582.

† James Crichton, styled "the Admirable," was son of Robert Crichton, Lord Advocate. He was born about 1557, and studied at St. Andrews. Before attaining his twentieth year he is said to have mastered the circle of the sciences, and to have understood ten languages. He excelled in all personal accomplishments. Proceeding to Paris he challenged the Professors of the University and other learned persons to dispute with him, and acquitted himself to admiration. At Rome he astonished and delighted the Pope in a public disputation; he afterwards publicly disputed at Venice and Padua. At Mantua he proved his dexterity by overcoming and slaying a noted and dangerous prize-fighter. By the Duke of Mantua he was appointed tutor to his son, a youth of licentious manners. One night during the Carnival of 1582, or 1583, as he was rambling about the streets, playing on his guitar, he was attacked by six persons in masks. He dispersed his assailants and disarmed their leader, whom he discovered to be the prince, his pupil. Stooping down, he handed to the prince his sword, who took it, and plunged it into his heart. A memoir of the Admirable Crichton was published in 1823 by Patrick Fraser Tytler.

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time, and was forfeited for holding out his house against the king's authority ; \* and lately all the cadets of him are decayed, and have little or no lands left undisposed : for the Lord Sanquhar, in 1612, having caused his footman to kill a fencer who had thrust out his eye at fencing, he was thereafter hanged at London ; and his estate, by King James VI.'s decree-arbitral, was taken from his bastard son, to whom it was tailzied, and given to his cousin William, of Rye-hill, who was thereafter made Earl of Dumfries, and lived divers years at Doncaster with the Lady Swift, whom he married after her husband's decease. But he sold all the estate before his death to the Earl of Kinnoul and Lord Queensberry.

The next family was the Viscount of Frendraught, who decayed after killing the laird of Rothiemay, and the burning of his own tower (committed, as *fama clamosa* said, by his own lady), wherein the Lord Aboyne and other four were burnt quick. †

All the rest of the barons of the surname of Crichton, viz., Cairns, Cranston-riddel, Innernytie, Lugton, Waughton, Strathurd, Abercrombie, Brunstone, and Arbickie, have had no better success ; but their lands are all in the hands of strangers, by alienation of them in their own time.

## 2. Mr. John Spence, of Condie, advocate, ‡ having conquest the

\* This was not the Chancellor's own house, but the Castle of Edinburgh ; the occasion of which was this : He had decoyed William, Earl of Douglas, David, his brother, and Sir Malcolm Fleming, of Cumbernauld, into the castle, and there murdered them in 1441. The Chancellor, fearing the resentment of William, Earl of Douglas, cousin to the last Earl William, who soon after got into the king's favour, retired to the Castle of Edinburgh. Douglas caused summon him to answer the charge of treason and breach of trust, and in absence he was declared rebel, and his estate forfeited. He himself was besieged in the castle, which he held out for nine months, but at length surrendered it, and was pardoned. He was soon received again into favour, and a second time made Chancellor.—*Goodal*.

† See *supra*.

‡ Sir John Spence was Lord Advocate in 1563, when John Knox was brought by Queen Mary before her Privy Council, on the charge of sedition. Being favourable to the Reformers and the Protestant cause, Spence waited upon Knox in private, to ascertain the nature of his defence. Having listened to the Reformer, Spence said, "I thank God I came to you with a fearefull and sorrowfull heart, fearing yee had committed some offence punishable by the lawes, which would have brought no small grieve to the hearts of all those who have received the Word of Life out of your mouth. But I depart greatlie rejoicing, als weil becaus I perceave yee have comfort in the midst of your troubles, as

baronies of Gilmerton in Lothian, Kilmux and Condie in Fife, had only three daughters: one of them was married to Herring of Lethinty, whose son Sir David sold all his lands of Lethinty, Gilmerton, and Glasclune, in his own time. Another was married to James Ballantyne, of Spout, whose son James took the same course; the third to Sir John Moncrieff, by whom he had an only son, who after his marriage went mad, and leapt into the river of Earn, and there perished; but left a son of good expectation, who had no land by his grandfather.

3. Mr. David Borthwick, King's Advocate,\* conquest many lands in Lothian and Fife, as Balnacrieff, Admiston, Balcarras, and others; but having incest his son Sir James therein in his own time, he never rested till he had sold all. And it being told the father, who was lying on his death-bed, that he had lately sold Balnacrieff, the old man is said to have spoken these words,—“What shall I say? I give him to the devil that gets a fool, and makes not a fool of him.” With which words he expired. These words are kept to this day as a byword, and called “Mr. David Borthwick's Testament.”

4. Mr. David Macgill, King's Advocate,† conquest a great estate, as the baronies of Cranston, Nisbets, &c., which as yet his grandson Sir James enjoys.

But Sir James's eldest son, notwithstanding all the pains taken on him in his education, quitted the kingdom, and took himself to be a single soldier some ten years ago; and no man that knows the father thinks him so simple as to leave his estate to such an heir.

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that I cleerlie understand yee have not committed suche a crime as is bruited, yee will be accused; but God will assist you.” At the Council, Spence accused the Reformer “verie gentlie,” and he was at once acquitted. (“Calderwood's History,” Edinb., 1843, Vol. II., p. 234, 237.)

\* Mr. David Borthwick was one of nine procurators selected by the Court of Session, in March, 1549, to plead “before thame in all actions and causes.” He was, in 1552, member of a commission appointed to treat with English commissioners upon Border affairs. He was employed as counsel by the Corporations of Aberdeen and Edinburgh. On the 12th May, 1567, as counsel for the Earl of Bothwell he took instruments of Queen Mary's pardon of him for her abduction. He became joint King's Advocate in 1573, and was the first who was styled Lord Advocate. He died in January, 1581. (Acts of Sederunt, 1811—48. Brunton and Haig, 154.)

† In 1582. He died in 1596.

5. Sir William Oliphant, of Newton, advocate,\* conquest the lands of Newton, the barony of Strabroke, and the Murrows near Edinburgh; but was as unfortunate in his children as any of the rest; for his eldest son, Sir James, after he was honoured to be a lord of session, was expelled therefrom for having shot his own gardener dead with a hackbut. His eldest son, viz., Sir James, procreate on Inchbraikie's daughter, in his drunken humours, stabbed his mother with a sword in her own house, and for that fled to Ireland. He disposed and sold the whole lands, and died in great penury.

The second brother, Mr. William, lay many years in prison, and disposed that barony of Strabroke and Kirkhill to Sir Lewis Stewart, who at this day enjoys the same.

6. Sir Thomas Hope † was created advocate after the death of Sir William Oliphant, who possessed the said place both in the time of King James and King Charles.

He conquest the baronies of Craighall, Grantoun, and Greenlaw, wherein he caused his son Sir John infest his grandson, who at this time is a minor.

He assisted and gave counsel to the Earl of Menteith, and concurred with him in his service as heir to King Robert II.‡ His

\* Mr. John Skene was King's Advocate in 1589; Mr. William Hart, of Livelands, in 1594. Mr. Thomas Hamilton, afterwards Earl of Haddington, was conjoined with Mr. Macgill in 1595, and was after his death sole advocate till 1612, when Sir William Oliphant succeeded, who kept it till 1626.—*Goodal*.

† Sir Thomas Hope was son of an eminent merchant, and passed advocate at an early age. He distinguished himself at the trial of the six ministers, who, in 1606, were arraigned at Linlithgow on a charge of high treason, because they had in ecclesiastical matters resisted royal authority. In 1626 he was appointed Lord Advocate; he was created a baronet in 1628. In 1638 he took part in framing the National Covenant, and he supported the legality of the famous General Assembly of that year. By Charles I. he was appointed Lord High Commissioner to the General Assembly of 1643. He died in 1646.

‡ William, Earl of Menteith, was served heir to his ancestor, David, Earl of Strathern, and had a patent from K. Charles conferring that title upon him. But his vanity, supported by the error of our historians, that David, Earl of Strathern, was the eldest son of Robert II.'s first marriage with Eupham Ross, his queen, made him begin to drop some hints of his right to the crown; on which he was deprived of all his offices, and a reduction brought of his service. This gave occasion to Sir Lewis Stewart to confute that gross error in our historians, that his ancestor was a son of Robert II. by his first marriage; which he did by producing several authentic deeds by Robert II. himself: particularly one at the time of his coronation, declaring John Stuart, of Scotland, to be his true heir, and

eldest son thereupon being challenged by his Majesty, he behoved to come in his will; and after the said Earl of Menteith was degraded from all his honours, his Majesty took only a bond from the said Sir Thomas, acknowledging his fault, and obliging himself never to give his Majesty cause of offence thereafter; promising, if he did any fault, to suffer what that fault merited.

He advised a way to the lords of erection to get all the kirk-livings back again, contrary to an Act of Parliament whereby they were for ever annexed to the Crown, by causing them take a wadset of the same, and acknowledge in the writs that his Majesty was indebted in great sums of money, whereas indeed he was never owing any. This will not fail to be quarrelled by succeeding ages, and those who shall have authority, and apparently for that cause will be reduced.

He was barred with the rest of the officers of state from having a voice in Parliament, which the king's advocates had many years before, and had only licence to sit and speak, but no place to vote.\*

In that year, when King Charles was last in Scotland, seeing himself in that case, and that all things were cross in the state, he transacted with Sir Archibald Johnston, and, upon certain conditions, best known to themselves, resigned the said place to him, and within a year or two died in Edinburgh.†

His son, Sir James, getting a part of his estate in West Lothian, therein found a lead ore mine, and having sold some of it to the Hollanders, the ship wherein it was perished with all that was in her.

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to have the right to succeed after him to the kingdom; and another deed, or Act of Parliament, in the third year of his reign, by which he entailed the crown to his sons of both marriages, enumerating them all particularly by name. This was afterwards defended by the Earl of Cromarty, and was the subject of a very late dispute betwixt Mr. Logan and Mr. Thomas Ruddiman. But that controversy hath been since quite unravelled, and the ground of the mistake laid open, in a dissertation by Mr. John Gordon, Advocate, Professor of History in the College of Edinburgh.—*Goodal*.

\* Before his time the King's Advocate used to plead uncovered; but he having two of his sons then upon the Bench, Sir John and Sir Thomas, the lords indulged him the privilege of pleading with his hat on, which his successors in office have ever since enjoyed.—*Goodal*.

† He was advocate from 1626 till 1641. To him succeeded Sir Archibald Johnston, and he being made Clerk Register in 1649, Sir Thomas Nicolson was made advocate, but continued short while.—*Goodal*.

## COMPTROLLERS.

1. David Wood, of Craig, was comptroller,\* and had a good estate, but his son dilapidated all, at least his grandson, and sold the same to the Lord Carnegie, one of whose sons is baron thereof.

2. Sir John Wishart, of Pitarrow,† was also comptroller in Queen Mary's time, but a great stickler in the time of the Reformation, as Knox mentions in his chronicle; but says he was a small friend to the ministers ament their stipends, and that he was more careful to make up his own house than to furnish them bread.

His son, Sir John Wishart, lived to a good age in good reputation, and was a principal baron of the Mearns, allied with Glenbervie, who became thereafter Earl of Angus.

But his sons had bad success; for Sir John, the eldest, contrary to his father's mind and express command, fell desperately in love with a daughter of the House of Carden, albeit his father endeavoured to the utmost of his power to hinder him, and gave him leave to marry any other woman in the world except her; but was loath to tell him the cause of his dissent; which was, that he had lyen with that woman's mother, and she was his own daughter. After which marriage all went backward among them. Sir John fled the country; his wife lived in England, and was maintained by the Lady Annandale, her cousin, having nothing of her own for many years.

The second brother, Mr. James, for debt, behoved to comprise the lands of Pitarrow, and stood infest therein many years; but in the end, not being able to double out the debt, he involved himself in acquiring the same; he was forced not only to sell the lands of

\* In the times of King James V. and of Queen Mary, viz., in 1538 and 1546. To him succeeded William, Commendator of Culross, in 1546 and 1553. Bartholomew Villemor, a Frenchman, had been named comptroller by Queen Mary in March, 1560-1, but they who had taken upon themselves the administration of affairs refused to admit him.—*Goodal*.

† John Wishart, Laird of Pitarrow, in Forfarshire, was son of Sir James Wishart, Justice-Clerk. In the Parliament of August, 1560, he was selected with a few others to administer state affairs. Some time after Queen Mary's arrival in Scotland he was appointed comptroller; he was succeeded by Sir William Murray, of Tullibardine, in 1564. He was one of the ten persons who were knighted on the occasion of the marriage of the Earl of Murray. He was appointed an Extraordinary Lord of Session 19th November, 1567; he accompanied the Regent Murray to England in 1568. He died 25th September, 1576. (Note by Mr. David Laing to Knox's History, vol. ii., 311.)

Monboddo, pertaining to himself, to Captain Irving, but even the barony of Pitarrow itself, to my Lord Carnegie, one of whose sons brooks the same to this day. He married Margaret Riccarton, and got a good portion with her; but being in necessity, they both behoved to go to Ireland, where he lived till the time of the late troubles; and in the beginning of them, being a captain, was killed in the field; and his wife, being in great necessity, returned to Edinburgh, where she has been maintained by the charity of her friends, having nothing of her own.

The third, Mr. William, was minister of Leith, but fled the country for refusing to subscribe the Covenant, and died some few years thereafter in Cornwall, leaving only one son, John, who was killed at Edgehill fighting in the king's service against the Parliament; and none knows what has become of his succession: so that the memory of that family is quite extinguished.\*

3. Andrew Wood, of Largo, the descendant of that noble Wood of Largo† who, in King James IV.'s time, did so great vassalages at sea, and especially against an English sea-captain called Bull, with whom he grappled about the May, and having fought the English ships, was grounded at Dunbar Sands; and got the barony of Largo in heritage therefor.‡

\* Sir William Murray, of Tullibarden, succeeded to Pitarrow in 1563, and continued till 1581. Sir James Campbell, of Ardkinglas, was comptroller in 1584.—*Goodal*.

† The following note is on the margin of the oldest copy, but in later copies is engrossed into the texts:—"He had been first a skipper on the north side of the bridge of Leith, and being pursued, mortified his house to Paul's work, as the register bears."—*Goodal*.

‡ He had been a very faithful servant to King James III., and got from him the lands of Largo to keep his ship in trim, and afterwards got them in feu anno 1482, and was knighted by him. Mindful of the king's kindness, he remained constant in his affection to him, even after his death, and would not submit to the lords, whom he looked upon as traitors and murderers of the king. But he was afterwards prevailed upon to go and attack a fleet of five English ships of war, which infested the frith; and with his own two ships only, the *Flower* and the *Yellow Carnal*, he took them all and brought them up to Leith: and soon after K. Henry VII., to revenge the affront of this defeat, having equipped another fleet of three of his best men-of-war, commanded by Stephen Bull, who, on the promise of great rewards, undertook to bring Captain Wood to the king dead or alive, he, with the same two ships, fought that captain at the Isle of May, till the tide carried his ships to the mouth of Tay, where they stranded on the sandbanks; and there Captain Wood took the three English ships, and carried them up to Dundee.



He was comptroller in King James VI.'s time,\* and went up with him to England, but had so evil success there, that he behoved to sell all his lands, and the same are now in the hands of Sir Alexander Gibson of Durie. The House of Lamieletum, a cadet of that family, who had a considerable estate in Fife, is also gone to decay, and the estates of the remanent families of that name are all lately sold to strangers, viz., Wood of Craig, sometime comptroller, and Wood of Grange; so that none of that name remain.

4. David Seton, of Parbroath, was comptroller in Queen Mary's time;† but his son disposed the whole lands, and they are now in the possession of the Earl of Crawford; so that the memory of that family is extinguished, albeit it was very numerous, and brave men descended thereof.

5. Sir George Home, of Wedderburn, was also comptroller to King James,‡ but had no better success than the rest of his predecessors; for he behoved to quit it, the king being much in his debt; which brought on such a burden on his house, that it is in hazard to perish, albeit there belonged to it a great patrimony. And the last two lairds, both father and son, were killed (being commanders at the unhappy field of Dunbar) by the English, as seven others of their forefathers had been before; so that never one of that house died in their beds, but only he who was comptroller.

6. Sir David Murray, of Gospertie, was thereafter comptroller,§

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Our author therefore is mistaken, both as to the time of his getting the lands of Largo, and as to the place where he defeated Bull.—*Goodal*.

\* From 1585 till 1587.

† It should be in K. James VI.'s time; for he was comptroller in 1589, and demitted in 1595.—*Goodal*.

‡ Sir George Home was appointed Warden of the East Marches in 1578, and Comptroller in 1597. He died 24th November, 1616. His only son, Sir David Home, of Wedderburn, along with his son George, fell at the battle of Dunbar in 1650.

§ Sir David Murray, of Gospertie, was a cadet of the noble family of Athole. He was appointed Comptroller in 1598, when he was also sworn of the Privy Council. He was at Perth with James VI. at the time of the Gowrie conspiracy, and afterwards obtained from the king the barony of Ruthven, which belonged to Gowrie. He accompanied the king to London in 1603, and was appointed a commissioner for the projected union of the kingdoms in 1605. He was created Lord Scone. As Lord High Commissioner to successive General Assemblies, he strove to introduce episcopacy. He was mainly instrumental in passing the Five Articles in the Assembly at Perth in 1618. On the ratification of the Articles by

and rose to great grandeur, who before was master stabler ; but being careful to augment the rents of the Crown, to the heavy prejudice of the king's tenants of the property of the barony of Auchtermuchtie, in Fife, the tenants were so exasperated thereat, that they invaded him ; and one James Maxwell, having grappled with him, they both fell together to the ground. James being above him, cried to his son to strike through all, being willing to die himself that the comptroller might die also ; and undoubtedly he had perished there, if the Laird of Balwearie had not intervened, and rescued him from the danger.

He was employed in great services by King James, and albeit an ignorant man, yet was he bold, and got great business effectuated ; for he was the king's commissioner when the five articles concerning divine worship were brought in at Perth.

He left no succession behind him, but tailzied his estate, the half to the Laird of Balvaird, of whose house he was descended as a younger son, and the other half to the Earl of Annandale, who was his friend at court. Balvaird's part is yet entire, and the youth is hopeful ; but as for Annandale's, his burdens are very great, and as yet has no succession.

7. James Hay, of Fingask, father to the Earl of Carlisle,\* after

Parliament in 1621, he hastened to London to convey the intelligence to the king. For this act of service, and some others, he was raised in the peerage as Viscount Stormount. He died 27th August, 1631.

\* James Hay, afterwards Earl of Carlisle, is thus described by Sir Anthony Weldon :—"The king no sooner came to *London* but notice was taken of a rising favourite, the first meteor of that nature appearing in our climate, as the king cast his eye upon him for affection, so did all the courtiers, to adore him. His name was Mr. *James Hay*, a gentleman that lived in *France*, and some say of the *Scottish* guard to that king. This gentleman coming over to meet the king, and share with him in his new conquest (according to the *Scottish* phrase), it should seem had some former acquaintance with the then Leiger Ambassador in *Scotland* for the *French* king, who coming with his Majesty into *England*, presented this gentleman as a well-accomplished gentleman to the king in such an high commendation as engendered such a liking as produced a favourite ; in thankful acknowledgment whereof, he did him many fair offices for the present, and coming afterwards an extraordinary ambassador to our king, made him the most sumptuous feast at *Essex House* that ever was seen before, never equalled since, in which was such plenty, and fish of that immensity brought out of *Muscovia*, that dishes were made to contain them (no dishes in all *England* before could ne'er hold them), and after that a costly Voydee, and after that a Mask of choise noble men and gentlemen, and after that a most costly and magnificent banquet, the king, lords, and all the

him was comptroller by the credit of his son, a great courtier with King James, who was the bringer in of Somerset to the court; and Somerset, to be rid of him at court, moved the king to employ him always in embassies abroad.

He married first the Lord Dennie's daughter, which lady, being in a coach at night in the streets of London, got her ear rent by a rogue, who pulled the diamond forth thereof, and with the fright she died. His next lady was Northumberland's daughter.

He was so lavish in expenses in his lifetime, that at his death he was addebted in vast sums of money, which never were paid to this day; so that his son behoved to quit England and go to the island of Barbadoes, which his father had got in gift from the king, where he lives till this time.

Since that time there have been no comptrollers; for the Earl of

prime gentlemen then about *London* being invited thither. Truly, he was a most compleat and well-accomplished gentleman, modest and court-like, and of so fair a demeanour, as made him be generally beloved; and for his wisdom, I shall give you but one character for all. He was ever great with all the favourites of his time, and although the king did often change, yet he was (*semper eidem*) with the king and favourites, and got by both; for although favourites had that exorbitant power over the king to make him grace and disgrace whom they pleased, he was out of that power, and the only exception to that general rule, and for his gettings, it was more than almost all the favourites of his time, which appeared in those vast expenses of all sorts, and had not the bounty of his mind exceeded his gettings, he might have left the greatest estate that ever our age or climate had heard of; he was indeed made for a courtier, who wholly studied his master, and understood him better than any other. He was employed in very many of the most weighty affairs, and sent with the most stately embassies of our times, which he performed with that wisdom and magnificency that he seemed an honour to his king and country for his carriage in State affairs." Through the influence of his royal master, Hay obtained in marriage Honora, only daughter and heiress of Edward, Lord Denny, and had a grant of the title of Lord Hay, with precedence next to the barons of England. On the 29th June, 1615, he was created a baron of the realm under the title of Lord Hay, of Sauley, Yorkshire. During the following year he was sent ambassador to the court of France. In March, 1617, he was sworn of the Privy Council, and on the 5th July, 1618, created Viscount Doncaster. In September, 1622, he was advanced to the earldom of Carlisle. He held various appointments at the court of James VI. He afterwards became first Gentleman of the Bedchamber to Charles I. He married, secondly, the Lady Lucy Percy, youngest daughter of Henry, Earl of Northumberland. He died 25th April, 1636, and was succeeded by James, his only surviving son, who became second Earl of Carlisle. By his death in 1660, without issue, the earldom became extinct.—*Burke's Dormant and Extinct Peerage.*

Dunbar got comptrollery, collectory, and the treasury of the new augmentations, engrossed with the office of treasury in his gift, pretending it would be less charges to the king to pay one than four officers.

#### ADMIRALS.

1. James Hepburn, Earl of Bothwell, \* great-grandson to Patrick, Lord Hales, who, in the parliament of King James IV., got for good service the lordship of Crichton, then being in his Majesty's hands by Lord Crichton's forfeiture, and the lordship of Bothwell, also being in his Majesty's hand by the forfeiture of John Ramsay, late Earl of Bothwell.

He it was, who after he had murdered Henry Stewart, father to King James VI., and had married Queen Mary, his mother, was declared by the estates a traitor, and pursued at their command by sea to Orkney, from whence he fled to Denmark, and there, being accused by the merchants, was imprisoned; and after ten years miserable captivity, died betwixt four walls, and by his death extinguished his posterity, and lost their honour for ever.

\* James Hepburn, Earl of Bothwell, afterwards Duke of Orkney, was born about 1536, and succeeded his father in 1556. Though professedly a Protestant, he joined Mary of Guise against the Lords of Congregation, and proceeding to France recommended himself to Queen Mary. He was banished from Scotland in 1563 for conspiring against the Earl of Murray, but returned in 1565 when Murray was expatriated for opposing the queen's marriage with Darnley. After the murder of Rizzio he acquired the unbounded confidence of the queen, who appointed him Warden of the three Marches and Admiral of the kingdom. In the murder of Darnley, which took place on the 10th February, 1567, he was the principal agent. Being tried for the crime, he overawed his accusers by a powerful retinue, and was consequently acquitted. The queen now appointed him Governor of Edinburgh Castle, and captain of the Castle of Dunbar. By threats and promises he procured the consent of the leading nobility to his marriage with the queen, and having divorced his wife, Lady Jean Gordon, he was as Duke of Orkney married to Queen Mary on the 15th of May. On the 15th June the forces of the lords, confederated for the support of the young prince, met the followers of the queen and Bothwell at Carberry Hill. A conference took place between the queen and some of the confederated lords, when Bothwell rode off the field. He afterwards escaped to Orkney. For a time he subsisted by piracy, but pursued by a fleet, he fled to Norway. From thence he proceeded to Denmark, where being recognised, he was imprisoned in the castle of Draxholm. There he died on the 14th April, 1578.

2. Francis Stewart, Earl of Bothwell,\* son to John Stewart, one of King James V.'s base sons, whom first he made Abbot of Kelso, by the counsel of Mr. John Mair, rector of the University of St. Andrews, whom that king met one day in the fields, and, not being known to be the king, was advised by him to make all his bastards priests, that they might not have children to trouble the state of the land. King James VI. bestowed on him the earldom of Bothwell, and made him admiral in Scotland.

He, in all his time grieving that he had not that power in court that he thought his birth and place deserved, leapt out, and made sundry out-reds against the king; one in Falkland, and another near Edinburgh; for which he was justly forfeited, and expelled the country.

His estate and place of admiralty was then given to the Duke of Lennox; the estate he resigned to the laird of Buccleuch, but kept still the admiralty to himself. And Bothwell fled to Italy, where he died in great misery; yet his son Francis, after he had spent the estate of a noble lady, the Countess of Perth, whom he married a widow, and daughter of the Earl of Winton, attended on King Charles I. at England, and procured, by his importunity, that Francis Earl of Buccleuch and his curators should submit anent these lands of the lordship of Bothwell, then possessed by him as heir to his father; and, by his Majesty's decreet-arbitral, he got them all restored; but *male paria pejus dilabuntur*; for he never brooked them, nor was anything the richer, since they accresced to his creditors, and now are in possession of one Dr. Seaton. His eldest son Francis became a trooper in the late war; as for the other brother, John, who was Abbot of Coldingham, he also disposed all that estate, and now has nothing, but lives on the charity of his friends.

3. Esme Stewart, Duke of Lennox,† was made admiral. He first married the widow of the sheriff of Ayr; but having small contentment in her, he quitted her at King James VI.'s going to England,

\* John Stewart, Abbot of Kelso, was illegitimate son of James V. by Jane Hepburn, daughter of Patrick, Earl of Bothwell. His son, Francis Stewart, was created Earl of Bothwell 29th July, 1576, and appointed Lord High Admiral. The extraordinary career of this most turbulent and unprincipled individual forms a remarkable chapter in Scottish family history. He died at Naples in 1624. (See Anderson's "Scottish Nation," i., 357.)

† See *supra*.

and when, some few years thereafter, she followed him up to London, he sent her back again with small contentment. After that, she dying of displeasure, he married the Countess of Hereford, but had no children by her, and died suddenly in his bed, the first day of King James VI.'s last parliament, and was thought to have been poisoned.

4. Lewis,\* son to Esme, Duke of Lennox, succeeded him in the honour and office of admiralty, and survived him scarce a year or two; but it was thought he was also poisoned, leaving his son James to be heir of the family. His relict, the Lord Clifford's daughter, being married to the Earl of Abercorn, came to Scotland, but that estate is now also totally disposed betwixt the Viscount of Kingston and the Lord Cochran.

5. John, Earl of Linlithgow,† having the full deputation of that place from both the brethren, and exercise of it many years, since that time has fallen from his own estate, and left nothing undisposed.

6. James, Duke of Lennox, son to Lewis,‡ albeit he had the title of admiral as successor to his progenitors, yet lost it by the English their incoming to Scotland, and their apprehending possession of the whole offices pertaining to the Crown, whereof that was one.

\* Ludovick, second Duke of Lennox, was born 29th September, 1574. He was, though in his fifteenth year, appointed Governor of the east parts of Scotland during the absence of James VI. in Denmark in October, 1589. By marrying in 1591 Jane Ruthven, daughter of the Earl of Gowrie, he incurred the displeasure of the king, but was afterwards forgiven. He was appointed High Admiral in place of the Earl of Bothwell, and in 1598 was sworn of the Privy Council. He aided in rescuing the king from the Gowrie conspirators in 1600. After obtaining various offices and honours, he was in May, 1623, created Earl of Newcastle and Duke of Richmond in the peerage of England. He was found dead in his bed on the morning of the 16th February, 1624.

† Our author must mean either John, Master of Livingston, who died unmarried, or Alexander, second Earl of Linlithgow. The reference is obscure.

‡ James, fourth Duke of Lennox, was son of Esme, third duke, and not of the second duke as our author has stated. He was born 6th April, 1612, and succeeded his father at the age of twelve. In 1641 he was advanced to the Dukedom of Richmond. He was Lord Chamberlain and Admiral of Scotland, Lord Steward of the Household, Warden of the Cinque Ports, Gentleman of the Bedchamber, and a Knight of the Garter. During the Civil Wars he subscribed £40,000 in support of the royal cause. He died 30th March, 1655.

## CHIEF JUSTICES.

1. William, Earl of Menteith,\* was made chief-justice by King Charles I., after the said office had been demitted in his Majesty's hands by the Marquis of Argyle, who had the same heritably by patent from the king's predecessors. Menteith possessed the same till he was accused of misdemeanour to his Majesty, for his presumption to serve himself heir to the eldest son of Robert II., king of Scotland; and for making a renunciation of his title, with reservation of his blood, and saying he had the reddest blood of Scotland, he was dispossessed of all his places of council, session and exchequer, and chief justice, and sent home to be confined in his isle of Menteith, where he has still remained since.

His eldest son and apparent heir, the Lord Kilpunt,† being with James Graham in the time of the late troubles, was stabbed with a dirk by one Alexander Stewart; and his lady, daughter to the Earl Marischal, was distracted in her wits four years after, and his second son Sir James lies prisoner in England.

And albeit the said earl has got above £15,000 sterling from the king in the time of his flourishing, yet that is gone and exhausted,

\* William Graham, sixth Earl of Menteith, by Mary, daughter of Sir Colin Campbell, of Glenurchy, succeeded his father in 1598. He was highly favoured by Charles I., who appointed him a Privy Councillor and Justice-General. He became President of the Privy Council, and in November, 1628, was nominated an Extraordinary Lord of Session. On the 25th August, 1630, he served himself heir to David, Earl of Strathern, and assumed the style of Earl of Strathern and Menteith. As David, Earl of Strathern, was eldest son of Robert II. by Euphemia Ross, and as at that period the priority of the king's marriage with Elizabeth More, mother of Robert III., was not established, the earl's procedure was unwise, and savoured of disloyalty. The king's attention being directed to the matter by Drummond, of Hawthornden, he caused the earl's retour and patent to be reduced, but soon afterwards bestowed on him the title of Earl of Airth and Menteith. In 1644 Lord Airth subscribed the Covenant, and was nominated on the Committee of War. His latter years were spent in retirement. (Brunton and Haig, Pinkerton's Scottish Gallery.)

† Lord Kilpont was an associate in arms of the Marquis of Montrose; he was stabbed to the heart in a sudden ebullition of passion by James Alexander (not Stewart), of Ardvorlich, when Montrose with his army lay encamped at Collace after the battle of Tippermuir. The event has been embodied with fictitious colouring by Sir Walter Scott in the *Legend of Montrose*. In the introduction to that romance there is an interesting narrative respecting the unhappy author of the assassination and the circumstances connected with it. The estate of Kilpont, or Kilpunt, is situated near the river Almond, Linlithgowshire.



and still his estate is so much overcharged with debt, that it is feared his family shall end with him.

2. To him succeeded Sir William Elphinston,\* brother to Sir George, who was justice-clerk; in his youth he had been a professor of philosophy in Nerac in France, and there studied the laws; then being in England, he was made secretary to Lady Elizabeth, when she was married to the Palatine; but within a few years he returned back to England, and got a place in the king's privy chamber; but, wearying of that employment, the king gave him a vacant place in the session, and made him lord chief justice, which place he enjoyed not above two or three years, and had neither lands nor personal estate in Scotland. When the troubles began, he went back to England and there died in a hard condition, as may be supposed, the king being unable to help him.

III. After him † the Earl of Glencairn was made Chief Justice, and got a pension; but in few years he was displaced by authority of the Parliament, for being accessory to the engagement against England; and his estate by this means being much harmed, he was moved for eschewing of captions, to accept upon him the place of general of the forces that rose in the North against the English in 1653. What success he will have time will show.

#### THE OFFICE OF DIRECTOR OF THE CHANCERY.

Albeit in all times bypast it has been an office of state, and at his Majesty's disposal; yet partly by malice, but chiefly by ignorance, it

\* Sir William Elphinstone was youngest son of George Elphinstone, of Blythwood. He was admitted an ordinary Lord of Session 1st March, 1637, and on the deprivation of the Earl of Menteith was appointed Justice-General. Of that office he was deprived in 1641, when the judges were chosen by the king with consent of the Estates. (Brunton and Haig.)

† After Sir William Elphinstone, Sir Thomas Hope, of Kerse, was Lord Justice-General; he died 23rd August, 1643. To him succeeded William, ninth Earl of Glencairn, whose appointment was ratified by the Estates 14th January, 1647. For supporting the "engagement" in 1648, he was in the following year deprived by Act of Classes. He raised the royal standard in the Highlands in 1653, but not long afterwards surrendered to Middleton. After the Restoration he waited on Charles II. at London, by whom he was nominated Lord High Chancellor. He advised the restoration of episcopacy, but was disgusted by the arrogant assumption of the primate, Archbishop Sharpe. He died 13th May, 1664, in his fifty-fourth year. (Brunton and Haig, 349.)



was, at the English coming to Scotland in the year 1650, holden and reputed an office subservient to the college of justice; and Sir John Scot, then director, displaced, and Alexander Jaffray, provost of Aberdeen, placed in his room, who then was an independent, and hereafter a quaker.

The Director, near these hundred years bygone, has been of the name of Scot, viz., since the year 1577. The first of that name was Robert Scot.\* Mr. Robert, his son, got the place in 1582, but being hectic, resigned the place again to his father. Robert, then being old, resigned the place in 1592 in favour of the said Sir John, his grandchild, to his wife's son, Mr. William Scot (whose father was a maltman at the Westport; but his wife being left a rich widow, the said Robert married her, and only begot the said Sir John's father on her), and took a bond from the said Mr. William, to resign the place to the said Sir John when he was major, to which bond were witnesses inserted Adam Lawtie and Adam Cowpar, both writers to the signet. This bond at his death was consigned in the hands of Alexander Hay, Clerk Register, as the said Adam Cowpar, then clerk of the bills, informed Sir John, when he was major. Yet Mr. William, having got the bond from Alexander Hay, the said Alexander Hay's son, then a Clerk of the Session, caused his servant, Mr. Robert Williamson, put the same in the fire; who himself, in his sister's house in Conn's Close, burnt his own head of an apoplexy before any came near him.† And Mr. William, denying to the auditors of his and Sir John's accompts that ever there was such a bond, Sir John behoved to quit above 100,000 merks of his bygone rents, to get access to his grandfather's office, and he only to resign to Sir John his own place.

Sir James, Sir John's son, being joined in the place with his father by King Charles I., died in the year 1650.

Mr. William, at the time of his first marriage, having married the Goodman of Priestfield's daughter, had not 500 merks to countervail his wife's tocher; yet thereafter Sir John, being curator *sine quo non* to his son of his last marriage, made him compt in presence of the Earl of Haddington, and Mr. William (*Hamilton*), his good-brother, for £1,000 *sterling* for a year's rent of his estate, by and attour five hundred bolls of bear that his mother had of conjunct-fee. The said

\* *Vide* page 99.

† *Vide* page 100.

Mr. William was thrice married, first to Elizabeth Hamilton, Priestfield's daughter, of whom was begotten Mr. John Scot, who being very learned, and author of a poesy to King James, printed in the Scots poets, was by his father sent to Rochelle to profess humanity, and there died of the plague. His second wife was Isobel Durie, daughter to the Laird of Durie, of whom he had a son, who, after he was married to Moncrieff's daughter, died childless; and his sister, who was crooked, was married to one Swinton, a sadler in Pittenweem. His last wife was Dame Jane Skene, whose posterity now succeeds. But if it be well conquest, posterity will be judge.

Sir John was a counsellor to King James and King Charles I., and Lord of Exchequer and a Lord of Session. Albeit he was possessor of the said place of chancery above forty years, and doer of great services to the king and country, yet, by the power and malice of his enemies, he has been at last thrust out of the said places in his old age, and likeways fined in £500 sterling, and one altogether unskilled placed to be director.\* But as one of the ancients says well, *Ubi beneficia modum excesserunt, pro beneficio damnum rependitur*; "where benefits exceed measure, instead of benefits they get skaith." He had been a counsellor since the year of God 1620, and, for his Majesty's and predecessor's service, been twenty-four times at London, being 14,400 miles, and twice in the Low Countries, for printing the Scots poets, and the Atlas; and paid to John Bleau a hundred double pieces for printing the poets.

\* Viz., Sir William Ker, who, as Sir John was pleased to say, danced him out of his office, being a dexterous dancer.—*Goodal*.

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# LIST OF THE GREAT OFFICERS OF STATE OF SCOTLAND, TO THE YEAR 1660.

## CHANCELLORS.

EUAN, Chancellor to King Malcolm III., surnamed Kenmore,	
about the year . . . . .	1057
Oswald, to King Donald VII. . . . .	1093
Earl Constantine, to Duncan II., the usurper . . . . .	1094
Sphothad, Abbot of the religious Culdees, to Duncan . . . . .	1094
Earl Rorey, to Donald VII. after the expulsion of Duncan . . . . .	1097
Humphrey, Bishop of Dunkeld, to Edgar . . . . .	1098
Constantine, Earl of Fife, to Alexander I. . . . .	1107
Herbert, Abbot and Bishop of Glasgow, to Alexander I. . . . .	1124
— to David I. . . . .	1124
Walter, to David I. . . . .	1123
John, Bishop of Glasgow, <i>eod. reg.</i> . . . .	1129
Herbert, promoted from the office of Great Chamberlain to	
be Chancellor, <i>anno</i> . . . . .	1129
Edward . . . . .	1147
William Cumming, Bishop of Durham	
Henry, Earl of Northumberland	
Engelramus, Bishop of Glasgow, <i>eod. reg.</i> . . . .	1151
— to Malcolm IV., 1154.	
Walterus Senescallus, to David I. . . . .	1153
— to Malcolm IV. . . . .	1155
Christopher, Bishop of Dunkeld, <i>eod. reg.</i> . . . .	1157
Nicolaus, Chamberlain and Chancellor, <i>eod. reg.</i> . . . .	1161
— to King William, 1179.	
Willielmus de Ripariis, Prior of St. Andrews . . . . .	1163
Hugo de Morville, Lord Lauderdale, to King William, <i>anno</i>	
1mo regni . . . . .	1165

Walter Bidun, Bishop elect of Dunkeld, to King William	1171
Roger, son to the Earl of Leicester, Bishop of St. Andrews, <i>cod. reg.</i>	1178
Walterus de Beide, a Frenchman, <i>cod. reg.</i>	1183
Walterus de Vidone, <i>cod. reg.</i>	1187
Hugo, Bishop of Glasgow, <i>cod. reg.</i>	1189
Willielmus de Lundyne	1192
William Malvicine, Bishop of St. Andrews, <i>cod. reg.</i>	1199
Florence, Bishop elect of Glasgow, <i>cod. reg.</i>	1202
Richardus, thereafter Bishop of Dunkeld, <i>cod. reg.</i>	
Willielmus de Bosco, or Wood, Bishop of Dumblane, <i>cod. reg.</i>	1211
— to Alexander II., 1226.	
Florentine, Bishop elect of Glasgow	1213
Willielmus de Riddel	1214
Robert Kildelicht, Abbot of Dunfermline, to Alexander II.	1214
— to Alexander III., anno 1249.	
Walterus de Olifard, to Alexander II.	1216
Thomas de Strivelyn, Archdeacon of Glasgow, to Alexander II.	1226
Matthew Scot, Bishop of Aberdeen	1227
William de Lindsay	1230
William Babington, or Bondington, Bishop of Glasgow	1231
Bernard of Innerkeithing, Bishop of Dumblane	
William de Huntingdon	1231
William de Bond, <i>cod. reg.</i>	1247
Gameline, Bishop of St. Andrews, <i>cod. reg.</i>	
— to Alexander III.	1251
Richard of Innerkeithing, Bishop of Dunkeld, to Alexander III.	1253
William Vitchard, or Wishart, Bishop of Glasgow, thereafter of St. Andrews, <i>cod. reg.</i>	1256
William Fraser, Dean of Glasgow, thereafter Bishop of St. Andrews, <i>cod. reg.</i>	1273
— to John Baliol	1295
Alexander de Baliol, <i>cod. reg.</i>	1295
Allan, Bishop of Caithness, <i>cod. reg.</i> , and confirmed in the office by Edward I. of England, as Superior.	
Maurice, Bishop of the Isles, <i>cod. reg.</i>	1298
Adam, Bishop of Brechin, <i>cod. reg.</i> , and afterwards in the reign of David II.	

Bernard, Abbot of Arbroath, to Robert Bruce, from 1301 to his death in . . . . .	1327
Dr. Walter Twynham, Canon of Glasgow, <i>cod. reg.</i> . . . .	1327
Patrick Leuchars, Bishop of Brechin, to David II. . . .	1345
— a second time, 1367.	
Thomas de Carnotto, or Charters, de Kinfawns, <i>cod. reg.</i> . .	1347
Mr. William Caldwell, Prebend of Glasgow . . . . .	1349
Sir John Carrick, Canon of Glasgow, to David II., and thereafter to Robert II., after Lord Glammiss.	
John Peebles, Bishop elect of Dunkeld, <i>cod. reg.</i> . . . .	1377
John Lyon, Lord Glammiss, <i>cod. reg.</i> . . . . .	1380
Sir Alexander Cockburn, of Langton, to Robert III. . . .	1395
Robert Lord Boyd, <i>cod. reg.</i>	
Mr. Duncan Petit, Archbishop of Glasgow.	
Gilbert Greenlaw, Bishop of Aberdeen, to Robert III., and during the government of Robert and Murdo, Dukes of Albany, regents.	
Sir John Forrester, of Costerphin, to James I. . . . .	1425
William Lauder, Bishop of Glasgow, <i>cod. reg.</i> . . . .	1424
John Cameron, Bishop of Glasgow, <i>cod. reg.</i> . . . .	1427
Sir William Crichton, knight, afterwards Lord Crichton, <i>cod. reg.</i> , and in the reign of James II. He was turned out in 1444, but got the office again after the death of Bishop Bruce in 1447, and kept it till his death in 1455.	
James Kennedy, Bishop of St. Andrews, succeeded Crichton in 1444, but held the place only a few weeks.	
James Bruce, Bishop of Dunkeld, and afterwards of Glasgow, to James II., <i>anno</i> . . . . .	1444
William Sinclair, Earl of Orkney and Caithness, <i>cod. reg.</i> . .	1455
— to James III.	
George Shoriswood, Bishop of Brechin, <i>cod. reg.</i> . . . .	1458
Robert, Lord Boyd, to James III., according to Buchanan	1460
Andrew Stewart, Lord Evandale, <i>cod. reg.</i> . . . .	1460
John Lang, Bishop of Glasgow, <i>cod. reg.</i> . . . .	1482
James Livingston, Bishop of Dunkeld, <i>cod. reg.</i> . . . .	1483
Colin, Earl of Argyle, <i>cod. reg.</i> . . . . .	1484
Colin, Earl of Argyle, to James IV., 1490.	
William Elphinston, Bishop of Aberdeen, at the death of James III. . . . .	1485

Archibald, Earl of Angus, to James IV. . . . .	1493
George Gordon, Earl of Huntly, <i>cod. reg.</i> . . . .	1498
James Stuart, Duke of Ross, Archbishop of St. Andrews, second son to James III., <i>cod. reg.</i> . . . .	1500
Andrew Foreman, Archbishop of St. Andrews, <i>cod. reg.</i>	
Alexander Stewart, Archbishop of St. Andrews, natural son to James IV., <i>cod. reg.</i> . . . .	1510
James Beaton, Archbishop of St. Andrews, <i>cod. reg.</i> . . .	1512
— to James V. . . . .	1515
Archibald Douglas, Earl of Angus, husband to the Queen Dowager, <i>cod. reg.</i> . . . .	1525
Gavin Dunbar, Archbishop of Glasgow, and afterwards of St. Andrews, tutor to James V. . . . .	1528
William Stuart, Bishop of Aberdeen . . . . .	1546
David Beaton, Cardinal and Archbishop of St. Andrews, in the reign of Q. Mary.	
John Hamilton, Archbishop of St. Andrews, <i>cod. reg.</i>	
George Gordon, second Earl of Huntly . . . . .	1561
Monsieur Ruby, a French lawyer, put in for a little time by the Queen Regent.	
James Douglas, Earl of Morton . . . . .	1562
George, third Earl of Huntly . . . . .	1567
James, Earl of Morton, made Chancellor a second time . .	1567
Archibald, Earl of Argyle . . . . .	1572
John, Lord Glamis . . . . .	1573
John Stuart, Earl of Athole . . . . .	1578
Colin, Earl of Argyle . . . . .	1579
James Stuart, Earl of Arran . . . . .	1584
Sir John Maitland, of Lethington, Lord Thirlestaine . .	1585
John Graham, Earl of Montrose . . . . .	1597
Alexander Seton, Earl of Dunfermline . . . . .	1605
Sir George Hay, of Nertherlieffe, Earl of Kinnoul . . .	1622
John Spottiswood, Archbishop of St. Andrews . . . .	1634
John Campbell, of Lauers, Earl of Loudoun . . . . .	1641
William Cunningham, Earl of Glencairn . . . . .	1660

## TREASURERS.

Sir Walter Ogilby, of Lintrethan, to K. James I. . . . .	1420
Patrick de Ogilby . . . . .	1430

Thomas de Mirton, Deacon of Glasgow.	
Walter de Haliburton . . . . .	1439
Robert Livingston, son to the governor.	
Wal. Halyburton, to James II. . . . .	1440
Andrew, Abbot of Melross, <i>cod. reg.</i> . . . .	1449
Mr. James Stewart, Dean of Moray, <i>cod. reg.</i> . . . .	1455
Mr. David Guthrie, to James III. . . . .	1466
William Knowlis, Preceptor of Torpichen . . . . .	1470
John Laing, Parson of Kenland . . . . .	1473
Archibald Crawford, Abbot of Holyrood House . . . . .	1480
Sir John Ramsay, of Balmaine.	
Henry, Abbot of Cambuskenneth, to James IV. . . . .	1490
George, Abbot of Dunfermline . . . . .	1493
George, Abbot of Paisley . . . . .	1495
Robert Lundy, of Balgony . . . . .	1499
James Beaton, then Abbot of Dunfermline, thereafter Arch- bishop of St. Andrews . . . . .	1507
George, Abbot of Arbroath . . . . .	1509
Andrew, Bishop of Caithness . . . . .	1509
James, Archbishop of Glasgow . . . . .	1510
William, Lord St. John, of Torpichen . . . . .	1512
Mr. John Campbell, of Lundie . . . . .	1517
Archibald Douglas, of Kilspindie . . . . .	1520
Archibald Douglas, Provost of Edinburgh . . . . .	1527
Robert Barton, of Over-barnton . . . . .	1528
William Elphingston, Bishop of Aberdeen . . . . .	1533
Robert, Abbot of Holyrood House . . . . .	1537
James, Abbot of Paisley, when James V. died . . . . .	1543
John Hamilton, brother to the regent, Abbot of Paisley, and afterwards Archbishop of St. Andrews, Treasurer in Q.	
Mary's minority . . . . .	1546
James Kirkaldy, of Grange . . . . .	1548
Gilbert Kennedy, Earl of Cassilis . . . . .	1555
Mr. Robert Richardson, Commendat. of St. Mary's Isle . . . . .	1561
Mr. William Stewart, Provost of Lincluden . . . . .	1564
William, Earl of Gowry . . . . .	1572
John, Earl of Montrose . . . . .	1584
Sir Thomas Lyon, of Auld-bar, Master of Glamis . . . . .	1585
Walter Stewart, Lord Blantyre . . . . .	1595

Alexander, Lord Elphinston . . . . .	1599
Sir George Hume, Earl of Dunbar . . . . .	1601
Robert Ker, Earl of Somerset . . . . .	1611
John Erskine, Earl of Mar . . . . .	1616
William Douglas, Earl of Morton . . . . .	1630
John Stewart, Earl of Traquair, in 1636, promoted from Depute Treasurer to be Principal Treasurer, which he kept till . . . . .	1641

John, Earl of Loudoun, then Chancellor.

Archibald, Marquis of Argyle.

William, Earl of Glencairn.

John, Earl of Lindsay.

Sir James Carmichael, Treasurer Depute.

These five were, by the Parliament 1641, appointed Commissioners for managing the Treasury, after Traquair was cashiered and indicted for high treason, and to endure till the next Parliament.

John, Earl of Crawford and Lindsay, made Treasurer by the States in 1641, but turned out for his adhering to the engagement in 1649, and reponed by K. Charles in 1660  
And the office was again, in 1649, put in the hands of Commissioners, who were,

John, Earl of Loudoun, Chancellor.

Archibald, Marquis of Argyle.

Alexander, Earl of Eglinton.

John, Earl of Cassilis.

Robert, Lord Burleigh.

Sir Daniel Carmichael, Treasurer Depute.

#### TREASURER DEPUTES.

Sir Robert Melvil, of Mordecainy, afterwards Lord Melvil, first Treasurer Depute . . . . .	1583
Sir John Arnot, of Bersick . . . . .	1604
Sir Gideon Murray, of Elibank . . . . .	1613
Sir Archibald Napier, of Merchiston, afterwards Lord Napier	1623
John Stuart, Lord Traquair . . . . .	1630
Sir James Carmichael, of that ilk . . . . .	1637



Sir Daniel Carmichael, third son to Sir James, put in by the Parliament in . . . . .	1649
William, Lord Ballenden, of Bruchton . . . . .	1661

## COMPTROLLERS.

David Brune, Comptroller of the House . . . . .	1426
John Spence . . . . .	1429
Alexander de Nairne, of Sanford . . . . .	1446
Robert de Livingston . . . . .	1448
Ninian Spot, Canon of Dunkeld and Moray . . . . .	1458
John Colquhoun, of that ilk . . . . .	1464
David Guthrie, of that ilk . . . . .	1467
Adam Wallace, of Craigie . . . . .	1468
James Schaw de Salquhy . . . . .	1471
Thomas Simson . . . . .	1472
Alexander Lesly de Warderis.	
Alexander Inglis, Archdeacon of St. Andrews . . . . .	1488
Patrick Hume de Polwart . . . . .	1499
James Abbot, of Dunfermline . . . . .	1506
James Riddoch, of Aberlady . . . . .	1507
Robert Arnot, of Woodmill, killed at Flowden . . . . .	1513
Duncan Forrester de Carden . . . . .	1514
Patrick Hamilton . . . . .	1515
Alexander Garden . . . . .	1516
Robert Burton, of Overbarton . . . . .	1520
Sir James Colvil, of Ochiltree . . . . .	1525
David Wood, of Craig . . . . .	1538
Thomas Menzies . . . . .	1543
William Commendator de Culross . . . . .	1546
William, Abbot of Ross . . . . .	1548
Monsieur de Ruby, to Q. Mary the Regent . . . . .	1557
Bartholomew Villemore, to the household, named, but never exercised . . . . .	1560
Sir John Wishart, of Pittarrow . . . . .	1561
Sir William Murray, of Tullibarden . . . . .	1563
James Cockburn, of Skirling . . . . .	1567
Sir James Campbell, of Ardkinglass . . . . .	1584
Andrew Wood, of Largo . . . . .	1585
David Seton, of Parbroath . . . . .	1589

Walter, Prior of Blantyre . . . . .	1597
Sir George Hume, of Wadderburn . . . . .	1599
Sir David Murray, of Gospetrie, afterwards Lord Scone . . . . .	1600
Peter, Bishop of Dunkeld . . . . .	1603
Sir James Hay, of Fingask . . . . .	1610
Sir Gideon Murray, of Elibank, was the last Comptroller to James VI., in whose time the office was suppressed, and incorporated with that of the great Treasurer . . . . .	1615

## THE LORDS OF PRIVY SEAL.

Walter Foote, Provost of Bothwell, <i>Secreti Sigilli Custos</i> to K. James I. . . . .	1424
Mr. John Cameron, Provost of Lincluden, and Bishop of Glasgow . . . . .	1426
Mr. William Foulis, Provost of Bothwell . . . . .	1432
Mr. William Turnbull, Canon of Glasgow, to James II. . . . .	1442
Thomas, Bishop of Galloway . . . . .	1458
Mr. John Arouse . . . . .	1459
Mr. James Lindsay, Provost of Lincluden . . . . .	1463
Thomas Spence, Bishop of Aberdeen, to James III. . . . .	1467
William Tulloch, Bishop of Orkney . . . . .	1470
William Tulloch, Bishop of Moray . . . . .	1477
Andrew Stewart, Bishop Elect of Moray, brother uterine to James III. . . . .	1482
Mr. David Livingston, Rector de Air, and Provost of Lincluden . . . . .	1482
John, Prior of St. Andrews, to James IV. . . . .	1489
William Elphinston, Bishop of Aberdeen . . . . .	1500
Alexander Gordon, Bishop of Aberdeen . . . . .	1507
David, Abbot of Arbroath, to James V. . . . .	1514
George, Abbot of Holyrood House . . . . .	1519
George, Bishop of Dunkeld . . . . .	1526
Archbishop Douglas, of Kilspindie . . . . .	1527
Robert Colvil, of Crawford, one of the Senators of the College of Justice.	
David Beaton, Abbot of Arbroath, Cardinal and Archbishop of St. Andrews . . . . .	1542
John Hamilton, Abbot of Paisley, and Archbishop of St. Andrews . . . . .	1542

George, Earl of Dunfermline . . . . .	1553
Sir Richard Maitland, of Lethington . . . . .	1563
John Maitland, Prior of Coldingham . . . . .	1567
Mr. George Buchanan, a Lord of the Session, and Privy Councillor, Commendator of Crossraguel, and Preceptor to the King . . . . .	1571
Walter Stuart, Commendator and Prior of Blantyre . . . . .	1583
Sir Richard Cockburn, of Clerkington . . . . .	1595
Thomas, Earl of Haddington . . . . .	1626
Robert, Earl of Roxburgh . . . . .	1641
Jo. Gordon, Earl of Sutherland, had the office conferred on him by the Parliament . . . . .	1649
Charles, Earl of Dunfermline . . . . .	1661

## SECRETARIES.

Nicolaus, in the reign of Malcolm IV., Duncan Pecoce, to Robert II. . . . .	1380
Andrew de Hawick, Rector de Liston . . . . .	1410
John, Earl of Buchan . . . . .	1418
Mr. John Cameron, afterwards Bishop of Glasgow, Secretary to James I. . . . .	1424
Mr. William Foulis . . . . .	1429
Mr. John Methven . . . . .	1432
John, Bishop of Dunkeld, to James II. . . . .	1448
William Otterburne . . . . .	1452
George de Shoriswood . . . . .	1453
John Arouse, Archdeacon of Glasgow . . . . .	1454
Thomas de Vans, Deacon of Glasgow.	
Mr. James Law, Archdeacon of Glasgow . . . . .	1463
Mr. Archibald Whitlaw, Archdeacon of Glasgow, and then Archdeacon of Lothian . . . . .	1463
Mr. Alexander Inglis, thereafter Bishop of Dunkeld . . . . .	1488
Mr. Patrick Panter, Rector of Tarmadies, then Archdeacon of Murray, afterwards Abbot of Cambuskenneth, to King James IV. . . . .	1490
Mr. Richard Murehead, Dean of Glasgow, and also to K. James V., 1535 . . . . .	1495
Michael Balfour, Abbot of Melross . . . . .	1496
Mr. Thomas Hay, to James V. . . . .	1516

Mr. Patrick Hepburn, Rector de Whiteston . . . . .	1524
Mr. Thomas Erskin, of Halton, afterwards Sir Thomas Erskin, of Brechin . . . . .	1524
Patrick, Abbot of Cambuskenneth . . . . .	1528
Mr. David Panter, Bishop of Ross . . . . .	1543
Mr. James Strachan, a Canon of Aberdeen.	
David Rizzio, to Q. Mary . . . . .	1559
Sir William Maitland, of Lethington, younger . . . . .	1561
Sir James Balfour, of Pittendreich, to Q. Mary . . . . .	1564
James Maxwell, of Cramond, son to Sir William Maxwell, to Q. Mary.	
Mr. Robert Pitcairn, Advocate, Commendator of Dunfermline, and Archdeacon of St. Andrews . . . . .	1572
Sir John Maitland, of Thirlestane . . . . .	1584
Sir Richard Cockburn, of Clerkingtoun . . . . .	1591
Sir John Lindsay, of Balcarras . . . . .	1596
Mr. James Elphinstoun, of Innerneitie, Parson of Eglesham, and afterwards Lord Balmerino . . . . .	1597
Sir Alexander Hay, of Newton, second son to Sir Alexander Hay, of Easter-Kennet . . . . .	1608
Sir John Preston, President of the Session.	
Sir Thomas Hamilton, Earl of Haddington . . . . .	1612
From him Charles I. took the Seals, and divided them, giving the one to—	
Sir William Alexander, Earl of Stirling, and the other to Sir Archibald Acheson, of Glencairn . . . . .	1626
William, Earl of Lanark, afterwards Duke of Hamilton. . . . .	
Sir Robert Spottiswood, Lord New-Abbey, and President of the Session . . . . .	1641
Sir William Ker, Earl of Lothian, made Secretary by the Parliament, when the Earl of Lanark fled for malignancy.	1644
George, Earl of Seaforth, by Charles II. in Holland.	

## CLERKS OF REGISTER.

William, Bishop of St. Andrews.  
 Simon de Quincy.  
 Nicolaus, *Clericus* to Malcolm IV.  
 William de Bosch, and one Hugo.  
 Galfrid and Gregory, to Alexander II.

24	Willielmus Capellanus, and Alexander de Carrerg	1253
	All these were called <i>cler. dom. regis.</i>	
24	Robert de Dunbar, <i>cler. rotul.</i>	1323
28	John Gray to Robert II.	
43	John Schives, <i>Secretorum Director</i>	1426
	Richard Craig, Vic. de Dundee	1440
59	George Shoriswood, Rector de Cutler	1442
61	Sir John Methven	1449
64	Mr. John Arouse, Archdeacon of Glasgow	1450
	Mr. Nicol Otterburn	1455
	Fergus M'Dowall	1466
	Mr. David Guthrie, of that ilk	1471
72	John Layng, Rector de Newlands	1473
84	Alexander Inglis, <i>Cancel. Aberdon.,</i> afterwards Deacon of	
91	Dunkeld	1477
96	Patrick Leith, Canon of Glasgow	1482
	Alexander Scot, Rector de Wigton	1482
97	William Hepburn, Vic. de Linlithgow	1488
08	Richard Murehead, Deacon of Glasgow	1489
	John Fraser, Rector de Restalrig	1492
12	Walter Drummond, Deacon of Dumblane	1497
	Mr. Gavin Dumber, Archdeacon of St. Andrews, afterwards	
	Bishop of Aberdeen	1500
	Sir Stephen Lockhart, to James IV.	
26	Sir James Foulis, of Colington	1531
41	Sir Thomas Marjoribanks, of Ratho	1548
	Mr. James M'Gill, of Rankeilor, Parson of Flisk	1554
44	Turned out for D. Rizzio's murder in 1565, restored 1567, and continued to 1677.	
	Sir James Balfour, of Pittendreich, Rector of Flisk	1565
	Sir Alexander Hay, of Easter-Kennet	1577
	Sir John Skeen, of Currie Hill	1594
	Mr. James Skeen, conjunct with his father	1598
	Sir Thomas Hamilton, afterwards Earl of Haddington	1612
	Sir Alexander Hay, of Whitburgh	1612
	Sir George Hay, of Netherleiffe	1616
	Sir John Hamilton of Magdalens, brother to the Earl of	
	Haddington	1622
	Sir John Hay, of Lands	1632

Sir Alexander Gibson, younger of Durie . . . .	1641
Sir Archibald Johnstoun, of Warriston . . . .	1649
Sir Archibald Primrose, of Chester . . . .	1660

## LORD CHIEF JUSTICES.

Argadus, Captain of Argyle, in the reign of Ethodius.	
Comes Dunetus, in the reign of K. William.	
The Earl of Fife, <i>cod. reg.</i>	
William Cummin, <i>cod. reg.</i>	
David, Earl of Huntingdon, <i>cod. reg.</i>	
Walter Cliffer, <i>cod. reg. justit. Laudoniae.</i>	
Allan, to Alexander II. . . . .	1216
William Cummin, Earl of Buchan, <i>cod. reg.</i> . . . .	1224
Walter Oliphant, of Olifard, <i>cod. reg.</i> . . . .	1227
Walter, son to Allan, Seneschal or Stewart of Scotland, <i>cod. reg.</i>	
William, Earl of Ross, Lord Chief Justice, <i>ex parte boreali maris Scotici</i> . . . . .	1239
David de Lindsay, <i>justit. Laudoniae</i> . . . . .	1243
Alexander Seneschal, to Alexander II.	
Hugo de Berclay, <i>justit. Laudoniae, cod. reg.</i>	
Alexander Cummin, Earl of Buchan, to Alexander III. . . .	1253
Robert de Erskin, <i>ex parte boreali de Forth</i> , to David II. . .	1366
Robert de Lauder, <i>justit. ex parte boreali aquæ de Forth, de Edrington &amp; Bass</i> . . . . .	1426
Patrick de Ogilvy, <i>justit. ex parte boreali aquæ de Forth</i> , to James I. . . . .	1446
John, Lord Lindsay de Bayrs, <i>ex parte boreali aquæ de Forth</i> .	1475
William, Earl of Orkney, <i>ex parte Australi aquæ de Forth</i> , to James II.	
John Haddin, of Glenegys, <i>justit. gen. benorth Forth</i> , to James III. . . . .	1477
Patrick Hepburn, Lord Hales, and Robert Lord Leyl, besouth Forth, <i>cod. reg.</i>	
Andrew, Earl of Crawford, and the Earl of Huntly, benorth Forth, <i>cod. reg.</i>	
Robert, Lord Leyl, Lord Chief Justice . . . . .	1488
John, Lord Glamis, and John, Lord Drummond . . . .	1489
Robert, Lord Leyl, and John, Lord Glamis . . . .	1492
John, Lord Drummond . . . . .	1494

## LIST OF THE GREAT OFFICERS OF STATE.

525

Andrew, Lord Gray, and John, Lord Kennedy . . .	1504
Colin, Earl of Argyle . . . . .	1514
Archibald Douglas, of Kilspindie . . . . .	1526
Archibald, Earl of Argyle . . . . .	1537
Gilespick, Earlof Argyle, heritably . . . . .	1567
Colin, Earl of Argyle . . . . .	1578
Archibald, Earl of Argyle . . . . .	1589

He exchanged the office of Lord Chief Justice in 1607, for the heritable Lieutenancy of Argyle and Lorn, and most of the isles.

William, Earl of Menteith . . . . .	1628
Sir William Elphinston,	
Sir Thomas Hope, younger of Kerse . . . . .	1642
William, Earl of Glencairn.	
The Earl of Cassilis . . . . .	1649

## JUSTICE CLERKS.

William de Cameron, Justice Clerk to David II.

Adam Forrester, *cod. reg.*

William Halket, of Belfico . . . . .	1478
Mr. Richard Lawson, of Heirigs . . . . .	1491
Mr. James Henderson, of Fordel . . . . .	1507
Mr. James Wishart, of Pitarrow . . . . .	1513
Nicholas Crawford, of Oxengangs . . . . .	1524
Mr. Adam Otterburn, of Redhall . . . . .	1537
Thomas Scot, of Pitgorn . . . . .	1537
Mr. Thomas Bellenden, of Achnoul . . . . .	1539
Mr. Henry Balneaves . . . . .	1540
Sir John Ballenden, of Achnoul . . . . .	1547
Sir Lewis Ballenden, of Achnoul . . . . .	1578
Sir John Cockburn, of Ormiston . . . . .	1591
Sir George Elphinston, of Blythswood . . . . .	1625
Sir James Carmichael, of that ilk . . . . .	1634
Sir John Hamilton, of Orbiston . . . . .	1637

## KING'S ADVOCATES.

John Ross, of Mongrennan . . . . .	1483
Mr. James Henderson, of Fordel . . . . .	1494
Mr. Richard Lawson de Heirigs . . . . .	1503

Mr. James Wishart, of Pitarrow . . . . .	1513
Mr. Adam Otterburn, of Redhall . . . . .	1525
Mr. John Fowler, or Fowlis, conjunct with Otterburn . . . . .	1527
Mr. Henry Lauder, of St. Germain's, conjunct with Otterburn after Fowlis . . . . .	1533
Mr. Henry Balneaves, to Q. Mary.	
Mr. Thos. Cummin, a Lord of Session, <i>cod. reg.</i>	
Mr. John Spence, of Condie . . . . .	1561
Mr. Robert Crichton, of Eliok . . . . .	1561
Mr. David Borthwick, of Loch-hill . . . . .	1573
Mr. David Macgill, of Cranston-riddel and Nisbet, son to Sir James, Clerk-Reg. . . . .	1582
Mr. John Skene . . . . .	1589
Mr. William Hart, of Livelihoods . . . . .	1594
Mr. Andrew Logie.	
Mr. Thomas Hamilton, of Drumcarny, Monkland, and Binning, afterwards Earl of Haddington, conjoined with Mr. David Macgill, 1595, and afterwards sole Advocate.	
Sir William Oliphant, of Newton . . . . .	1612
Mr. Thomas Hope, of Craighall, afterwards Sir Thomas . . . . .	1626
Sir Archibald Johnston, of Warriston . . . . .	1641
Sir Thomas Nicholson.	

## ADMIRALS.

Henry, Earl of Orkney, to Robert III.

George de Crichton de Carnes, who was Earl of Caithness, to  
James II., 1449 and 1452.

William, Earl of Caithness and Orkney, *cod. reg.*

David, Earl of Crawford, to James III. . . . . 1474

Alexander, Duke of Albany . . . . . 1482

Andrew Wood, of Largo, was never admiral; but in 1477 was  
master of the *Yellow Carnal*; and in James IV.'s time  
his son defended the castle of Dumbarton against the  
English before 1503; got Largo in 1477 to uphold his  
ship, and in 1482 got it in heritage *ex autographis*.

Patrick, Lord Bothwell . . . . . 1501

James, Earl of Arran, *cod. reg.*

Archibald, Earl of Angus, *cod. reg.*

Robert, Lord Maxwell, to James V.



1513	Adam, Earl of Bothwell, heritably . . . . .	1511
1525	Patrick, Earl of Bothwell . . . . .	1544
1527	James, Earl of Bothwell . . . . .	1567
	James, Earl of Morton . . . . .	1578
1533	Francis, Earl of Bothwell . . . . .	1583
	James, Duke of Lennox, heritably . . . . .	1626
1561	John, Earl of Linlithgow, made admiral during the Duke of Lennox's minority.	
1561	James, Duke of Lennox . . . . .	1633
1573	James, Duke of York, afterwards K. James VII.	

## DIRECTORS OF THE CHANCERY.

1582	Walter, <i>Cler. cancellarii</i> . . . . .	1159
1589	Andrew Tailifer and William Cadyow, <i>cler. cancel.</i> . . . .	1425
1594	Mr. Richard Gray, <i>licen. in decret. cler. cancel.</i> . . . .	1440
	Mr. George Shorswood, of Cultrie . . . . .	1451
	Robert Colvil, of Ochiltree, Director of the Chancery . . . .	1508
1612	Henry Stewart, afterwards Lord Methven . . . . .	1523
1626	Patrick Houston, of that ilk . . . . .	1526
1641	Sir James Colvil, of Ochiltree, afterwards of Easter-wemyss . .	1529
	Mr. James Ballenden, of Achnoul . . . . .	1538
	Mr. Thomas Ballenden, of Achnoul . . . . .	1540
	John Ballenden . . . . .	1544
	James Hamilton, of Stenhouse, and William Ogyl . . . . .	1546
	Alexander Livingston, of Dunipace . . . . .	1548 & 1553
	Mr. George Buchanan . . . . .	1570
	Alexander Hay . . . . .	1574
	Mr. Robert Scot . . . . .	1577
1474	Mr. William Scott, of Grangemuir, afterwards of Ardross . .	1594
1482	Mr. John Scot, of Caiplie, afterwards Sir John of Scotstarvet .	1608

## LORD CHAMBERLAINS.

	Herbert, to David I. and to Malcolm IV. . . . .	1159
	Nicolaus, <i>cod. reg.</i> . . . . .	1179
1501	Philip de Valenois, to K. William . . . . .	1205
	Walter de Barclay, <i>cod. reg.</i> . . . . .	
	Hugo de Giffer, <i>cod. reg.</i> . . . . .	
	John de Melvil, to Alexander II. . . . .	
	Henricus de Baliol, <i>cod. reg.</i> . . . . .	1216

David de Benham, afterwards Bishop of St. Andrews, <i>cod. reg.</i>	1228
William, Earl of Mar, to Alexander III. . . . .	1253
Henry de Baliol, <i>cod. reg.</i> . . . . .	1261
Joannes de Lindsay, <i>cod. reg.</i> . . . . .	1278
William de Lindsay, to Robert I. . . . .	1319
Alexander Frazer, who married Mary Bruce, the king's sister, <i>cod. reg.</i> . . . . .	1325
John Baptista, to David II. . . . .	1329
Robert de Peebles, <i>cod. reg.</i>	
Thomas, Earl of Mar, <i>cod. reg.</i> . . . . .	1349
Walter Fleming, of Biggar, <i>cod. reg.</i> . . . . .	1350
Robert de Erskine, <i>cod. reg.</i> . . . . .	1354
William de Biggar, Rector of the Church of Errol, to Robert II. . . . .	1371
Michael, Bishop of Dunkeld, <i>cod. reg.</i> . . . . .	1376
John Lyon, <i>cod. reg.</i> . . . . .	1378
John, Earl of Buchan, <i>cod. reg.</i>	
John Forrester de Corstorphin, to James I. . . . .	1426
George, Bishop of Brechin, <i>cod. reg.</i> . . . . .	1431
James, Lord Livingstone, to James II. . . . .	1438
Lord Boyd, to James III.	
James, Earl of Buchan, <i>cod. reg.</i> . . . . .	1477
David, Earl of Crawford, <i>cod. reg.</i> . . . . .	1483
Alexander, Lord Hume, to James IV. . . . .	1489
Malcolm, Lord Fleming, to James V. . . . .	1516
John Lord Fleming, to Q. Mary . . . . .	1565
He was also usher of the King's chamber.	
Esme, Duke of Lennox, to James VI. . . . .	1581
Ludovick, Duke of Lennox, <i>cod. reg.</i> . . . . .	1594

He and his successors were made heritable chamberlains.

#### MASTERS OF THE KING'S HOUSEHOLD.

Walter de Ogilby de Lintrethan, to James I. . . . .	1432
John, Lord Seton, <i>cod. reg.</i>	
Patrick, Lord Glamis, to James II. . . . .	1450
Andrew, Lord Gray, <i>cod. reg.</i> . . . . .	1452
Colin, Earl of Argyle, to James III. . . . .	1465
David, Earl of Crawford, <i>cod. reg.</i> . . . . .	1482
William, Lord Borthwick, <i>cod. reg.</i> . . . . .	1484

John Ramsay, *cod. reg.*

David, Earl of Crawford, *cod. reg.* . . . . . 1488

Patrick, Lord Hales . . . . . 1488

William Knolls, Lord St. John . . . . . 1491

Andrew, Lord Gray . . . . . 1492

Archibald, Earl of Argyle . . . . . 1495

Lord Maxwell.

Colin, Earl of Argyle . . . . . 1529

This office continued afterwards heritably in that family.

The Earl of Mar was appointed Master of the Household

for Prince Henry's christening . . . . . 1594

#### KEEPERS OF THE GREAT SEAL.

Alexander Cockburn de Lantoun, to Robert III.

John Forrester de Corstorphin . . . . . 1420

John Cameron, Bishop of Glasgow . . . . . 1426

Monsieur Ruby . . . . . 1560

David Rizzio . . . . . 1564

#### MASTERS OF REQUESTS.

Mr. James Ogilby, Commendator of Dryburgh . . . . . 1515

Sir John Hay, Abbot of Balmerino, Parson of Monimusk . . . . . 1554

Mr. Thomas Hepburn, Parson of Aulderstocks . . . . . 1567

Mr. James Colvil . . . . . 1579

Mr. Mark Ker, son to the Abbot of Newbottle . . . . . 1592

William Ballenden, *Magis. Supplic. Libellar.* . . . . 1608

Sir James Galloway, afterward Lord Dunkeld . . . . . 1624

Sir William Alexander, Earl of Stirling . . . . . 1626

Sir John Chiesly . . . . . 1648

#### CONSTABLES.

Hugo de Morville, to David I., Edward, *cod. reg.*

Richard de Morville, to Malcolm IV. . . . . 1163

William de Morville, his son.

Allan de Galloway, son to Rowland de Galloway and Helene

Morville (sister to the last constable), to Alexander II.

Sir Leonard Leslie, to Alexander III.

Roger de Quincey, Earl of Winton, Constable by marrying  
the daughter of the Lord Galloway.

Scierus de Quincey, Earl of Winton, son to Roger, forfeited  
by Robert I.

Gilbert Hay, made heritable Constable and Earl of Errol . 1321  
And that family has kept the office ever since.

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